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# MOTHER LODE

*The Story of California's  
Gold Rush*

BY LOUIS J. STELLMAN

*Cover design and decorations  
by Paul Rockwood*

HARR WAGNER PUBLISHING COMPANY  
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# FOREWORD



WHAT IS the Mother Lode?

Imagine a gigantic rocky inlay set with precious metals like a jewel chain, tracing a course irregular and frantic as a fork of lightning through the heart of California; ribbing its mountains and valleys with gold-bearing quartz, filling its streams with auriferous, glistening sands; the treasure chest and Pandora's box combined of the mid-Nineteenth Century. Then you have a rough idea.

The Mother Lode called men from every nation, every quarter of the earth. Over the Seven Seas they hastened, across waterless deserts and uncharted plains infested with hostile savages and wild beasts. Pioneers, adventurers, and desperadoes they were, all hungry for gold, willing to gamble their very lives for it against the unknown hazards of a remote wilderness.

The Gold Rush came in 1849. It was a swiftly moving pageant of romance and fresh tradition more spectacular than the Crusades. It transformed a pastoral, agrarian land into a multitude of brawling camps with

their mercurial transient populations, their violent passions, strange expedencies of Law and Custom, unexpected chivalries and extraordinary crimes. It made horse-stealing a capital offense and homicide a casual accomplishment. It inaugurated the literary era of Bret Harte, Mark Twain, and Joaquin Miller. It produced fantastic parvenus and grotesque bandits almost overnight. It created governors, philanthropists, lawgivers, railroad builders, and molders of western empire. In short, it fashioned a new world in a hitherto unknown land, a world of ribald wealth, fierce freedom, and uncouth sincerities such as men had never seen before.

The Mother Lode played a part in preserving the Union by financing the campaign of North against South throughout the Civil War; it developed hydraulic power far beyond existing limits and established the first long-distance telephone line in the world.

Geologically the Mother Lode is a belt of disconnected parallel and sometimes interrupted fissures filled with auriferous quartz. It runs northeast by southwest between Mariposa, near the Yosemite Valley, and the orchards and vine-clad hillsides of Georgetown, 110 miles distant. But a popular largess of concept applies the term "Mother Lode Country" to all of the great mining region in Northern and Central California.



## FOREWORD

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No adequate Mother Lode history, I dare say, will ever be written. So rich is it in drama and romance that even an approximate completeness of delineation would require many years and many volumes. But in this book I have set down a little of its glamor, its unfolding pageantry and its astounding fact. I have restored some of the warp and woof that made its gorgeous pattern—so my readers may behold its stark and colorful magnificence and reconstruct it for themselves.

I shall omit the usual parade of bibliography. But, believe me, I have left no stone unturned to make this book an accurate as well as entertaining record. In doing this I have rejected, perhaps, as much chaff as the wheat I was able to winnow from histories and records that came to my hand. And I have been aided in this by long newspaper training. Contrary to popular belief, it *does* make for accuracy and expedition in research.

Deep appreciation is due and grateful acknowledgment is made to the following persons and institutions for courteous and valuable aid in gathering or corroborating material for this work: Mabel R. Gillis, State Librarian, Sacramento; Robert Rae, Librarian, and Misses Byrne and Sturgis of the Reference Department, San Francisco Public Library; History Department, Wells Fargo Bank and Union Trust Company; John Howell, collector of Californiana, San Francisco; His-

toric American Building Survey, United States Department of the Interior, National Park Service; Mrs. Helen Van Sicklen, Librarian, Society of California Pioneers; California State Division of Mines, Sacramento and San Francisco; James D. Stewart, Hydraulic Engineer, Auburn, California; P. M. Cropper, Editor *Mining and Industrial News*, San Francisco.

DEDICATED  
TO  
GEORGE PHILIP MORGAN  
WHO WAS BORN JUNE 1, 1859, IN COLUMBIA,  
TUOLUMNE COUNTY, CALIFORNIA, AND WHOSE  
SERVICE AND EXPERIENCES HAVE BEEN A PART  
OF THE ROMANTIC HISTORY OF THE  
MOTHER LODE



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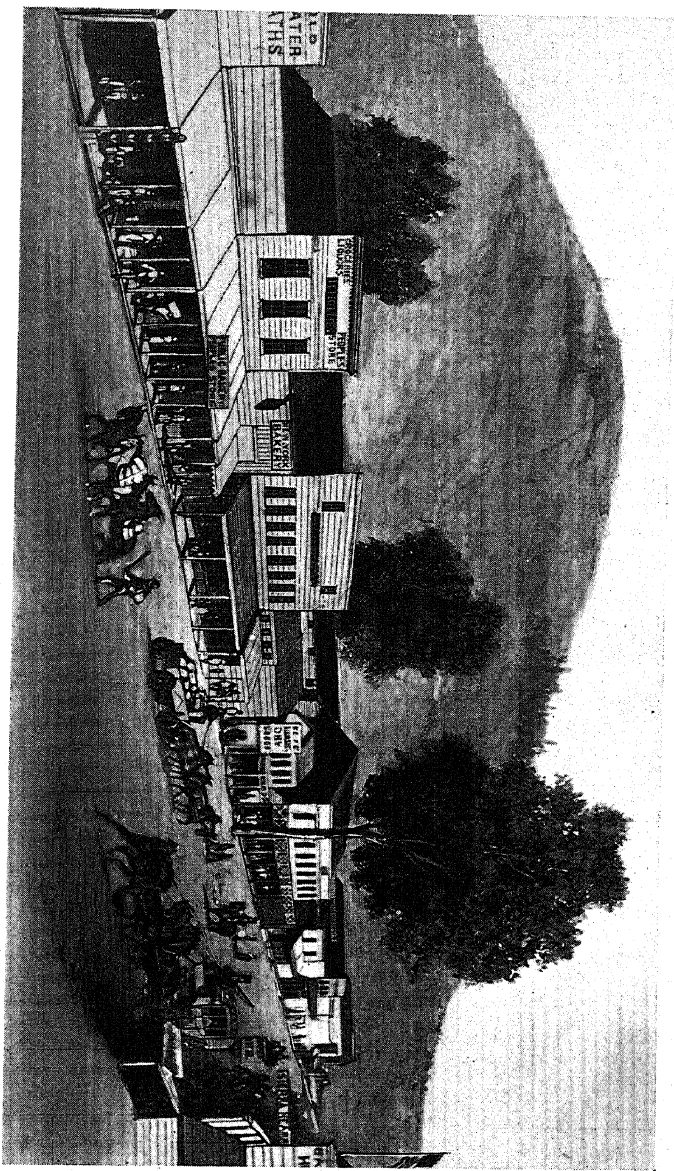
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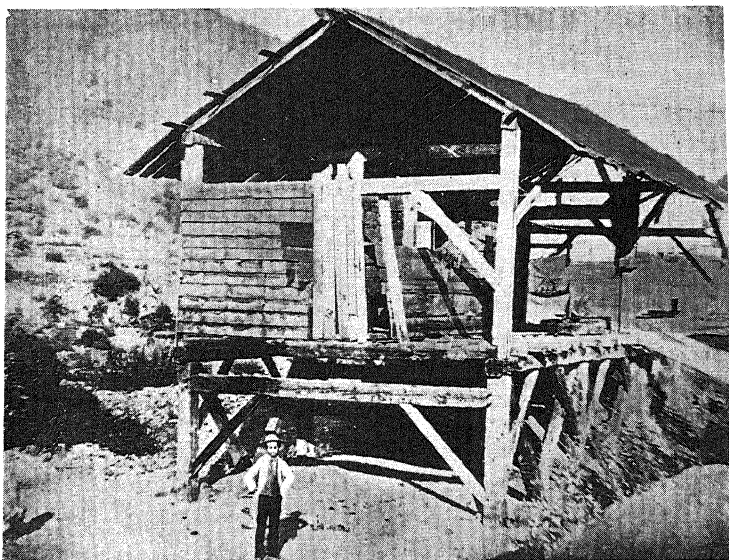
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of the author.*





*Coloma in the early fifties. Little remains but a monument and deserted Store*

—Courtesy Wells-Fargo Bank



—Courtesy Society of California Pioneers

*Sutter's Mill in 1849. Figure in foreground is James W. Marshall*



—Courtesy Historic American Buildings Survey. Photograph by Roger Sturtevant

*Deserted Store, Coloma*

# MOTHER LODE

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## CHAPTER I

### *In the Beginning*

LONG BEFORE the actual discovery of gold there was the legend. It seems synonymous with California's very name. In 1537 Spain was ringing with the tales brought back from Mexico by Cabeza de Vaca. Where he got them no one knows, for he had never been in California. Nonetheless he set the palace of the King and grogshops on the quays afire with his rumors of a far land and its treasure.

Later, London and the English seaports heard of it. Drake the Privateer, who beached his frigate in a Californian bay to make repairs, was back and Chaplain Francis Fletcher of his crew had many tales to tell of precious metal in the mountains of New Spain. Fletcher must have heard them from the Indians or imagined them, because he had no opportunity for inland journeys. But Sebastian Vizcáino brought back maps of California. He knew something of the country and was eager to direct an expedition there in search of gold. Many would have followed him, but funds were lacking.

For a time the legend languished. Then new rumors came from California; rumors that the Jesuits had discovered gold mines and were working them. This time the Visitador General of Spain set forth from Mexico to learn the truth. But it is said the Jesuits told him nothing. If they had discovered gold, they kept their secret, and though Galvez searched and spied, he found no treasure and returned disgruntled. Possibly the Russians found it near their colonies at Ross and Bodega Bay. Trappers told of mining operations at these places when they stopped at Mexican pueblos farther south in 1814. And four years later a definite claim was staked out on the Feather River. But the country was full of wild tales and nobody gave them much heed until Francisco Lopez made his gold discovery in the San Fernando Valley, March 1, 1842.

According to available records, he was employed as a vaquero on the rancho of Ignacio del Valle, about twenty miles from San Fernando Mission. With two friends he was resting on a hillside after a long search for strayed cattle. While digging up wild onion roots with his case-knife he was attracted by shining particles adhering to the soil about the roots, but none of the trio was impressed by the happening. They discussed it and decided that the bits of metal must be copper. They were not imaginative, it appears.



At the suggestion of his companion, however, Lopez tied up some of the glittering soil in his neckerchief and showed it to a couple of Sonorian friends at the cantina. They at once proclaimed the metal to be gold, and the party returned to the onion bed. There the Sonorians scraped up a few ounces of soil in a spoon made from a bullock's horn\* and washed it in the creek. Then, with their residue of golden flakes, they set forth, joyously, to spread the news among their friends on the neighboring ranchos.

A camp was established around the point of Lopez's discovery. Strict order prevailed. There was none of the "devil-take-the-hindmost" anarchy which later characterized Coloma. Don Sebastian del Valle, owner of the rancho, was appointed Juez de Policio, or police magistrate, and a man named Zorillo became his "substitute"—virtually his sheriff. Their duty was "to keep order, levy dues on the sale of liquor, portion out land, impose necessary taxes, and collect fees for wood, pasture, and mineral privileges."

Del Valle's problem was identical with that which, six years later, confronted John A. Sutter when gold was discovered on the latter's estate. But Sutter's set-up

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\* The "horn spoon," as it was called, was used extensively by American miners along the Mother Lode. "By the Great Horn Spoon!" was a favorite exclamation during Gold Rush days.

was much less efficient and the result tragically—even farcically—different.

The poor Mexicans—benighted members of a so-called inferior race—respected their landowner's rights. They worked the scanty placers, which paid them from one to two dollars per day, uncomplainingly. They were ready to pay a just tax and even made inquiries as to how and where it should be done when, after an extended period, no collector appeared.

But they couldn't find anyone who would take their freely offered money. The *patron* had established no machinery for taxation. He had said to his steward, "They have barely enough for themselves, *pobrecitos*! And I have plenty. Leave them alone."

Sutter's first thought was to acquire additional lands and monopolize the gold fields. He added to his vast domain most of the purchasable Indian rights along the south fork of the American River. He tried to corner the Gold Rush, did Captain Sutter. And, by a poetic justice more harsh than he deserved, he was himself despoiled of everything.

The San Fernando placers were not rich enough to last long. In November, 1842, Abel Stearns, one of the few Americans at work there, sent twenty ounces of gold to the Philadelphia mint, and so tardy was transportation in those days that it was August, 1843, before

he received a report with a check for \$344.75, less expenses.

About two thousand ounces of gold were taken from the San Fernando mines during the first year, and a hundred-odd men were at work. That was the peak year. Later the returns diminished. In 1845 John Bidwell visited the mines and reported thirty men reducing gold, their average earnings about twenty-five cents a day. Gradually the placers petered out and were forgotten. Governor Alvarado's wedding ring was made from California gold, he claimed. He used to exhibit it in later years, with its inscription and date, sneering at Marshall's claim. There is some mystery here, for Alvarado was married in 1839, and the gold of his ring is alleged to have been found near Monterey, while his eldest daughter possessed a ring dated 1840 and believed to have come from the San Fernando placers. But such evidence is unimportant. No one will deny that enough gold for a ring was found in California before either Lopez or Marshall recorded their discoveries. In such small quantities it was undoubtedly picked up in a dozen places.

And there is no denying the fact that James W. Marshall put California on the map as a gold country. He started the greatest gold rush in all history. "And what did I get for it?" he used to ask bitterly in his

impoverished later years. "Nothing! If I had been an Englishman, the government would have rewarded me. But Congress—what does it care?"

Poor, aged Captain Sutter, haunting the congressional antechambers in Washington, stripped of all his vast possessions, had faith in the lawmakers till the last. But they laughed at his claims and he died in poverty. Marshall at least got the credit. He probably would have been glad, like Omar Khayyam, to "take the cash and let the credit go," but he fared much better than Columbus, who evolved and sold his great idea before carrying it out. Marshall only stumbled upon something epochal, record-breaking. After that he drifted with the tide and it buffeted him rudely.

He had done a good job, a man's job, in saving the mill at Coloma from flood waters. If he hadn't done that job so well, he might not have washed several ounces of gold into the tail-race that morning of January 24th, 1848—the gold which made a finger ring for Sutter and which set the world afire. Destiny is a strange force.

Neither Marshall, stolidly building a sawmill on the south fork of the Rio Americanos, as it was then called, nor Sutter, master of an estate larger than many a minor kingdom, dreamed of what they were starting when they got together in a small room to discuss, behind

locked doors, what Marshall had wrapped in his handkerchief.

Sutter believed his carpenter had gone mad when he rushed in, drenched by the winter rain, wild-eyed and feverish of manner, demanding a secret conference with "The Old Cap," as his army of employees and retainers called him. Sutter was not alarmed, but he kept his eye on a rifle that stood in a corner—just in case.

They remained there a long time, the two of them; first they sent for scales, then for nitric acid from the apothecary shop; later still, for an encyclopedia. By that time Sutter was convinced. He cautioned Marshall to keep his discovery quiet. But Marshall had already talked about it freely to the workmen, though he did not admit this to Sutter. Sutter wanted the mill finished before gold seekers came. He believed that to be more important than the gold. But the secret was already out. A teamster learned it from the wife of a workman. He got some of the gold and spent it for whisky—with much difficulty, for the tavern-keeper had never seen gold-dust. And Bigler, one of Marshall's assistants, went off to the flour mill to tell his Mormon friends about it. They came down to wash the stream, but they found little gold. They returned disgusted. Meanwhile Bigler did not work at the mill. He went "hunting." But what he hunted was gold. He prospected the

neighborhood, far down the fork, and found the yellow metal everywhere.

On March eleventh—two and a half months after the gold discovery—the sawmill at Coloma began operations. Indians learned to saw logs. Quite a stock of lumber was sawn, some of it to be used for new buildings on the Sutter rancho; some of it to be carted away and sold. Sutter had had his wish. Thus far, except for the little group of Mormons headed by Bigler, no one had bothered much about the gold. Sutter had secured his options on and leases for locations up and down the stream. Pretty soon the Mormons were going in a body to Salt Lake. Then he could see how much of the precious metal there really was without attracting too much attention. He had plenty of money; but it wouldn't hurt to have more.

His attitude, you see, was rather different from that of Ignacio del Valle.

On April thirteenth Bigler, who had been on another visit to the flour mills, returned to Coloma. He had only two months to mine, for by the middle of June he must be on his way with others of the brethren to the new stronghold of the Latter Day Saints in Utah. He found five white men panning gold. Some of them had obtained Indian baskets, and these averaged from twenty-five cents to two dollars per "pan."

Bigler couldn't get an Indian basket. They were all gone. He had to use a tray on which he kneaded dough, an unwieldy utensil, but better than nothing. His neighbor made shift with a wooden washbowl, which did not last long with the rough usage. There was only one tin pan in the camp. They had to "pack" their dirt in sacks from the arid gulches a mile below the sawmill to the stream 1800 feet distant. It was hard work.

Meanwhile Sam Brannan, who kept a trading post near Sutter's home, had spread the news in San Francisco. He had filled a whisky flask with yellow grains and had ridden his horse up and down Montgomery street, yelling "Gold! Gold! Gold from the American River!"\* He had almost depopulated the town and been cursed roundly for it.

The sawmill had run less than two months when the gold-hungry hordes were upon it like a plague of locusts. They elbowed each other about, quarreling and fighting for locations, conceding no rights to anyone. They bought all of Sutter's provisions and utensils. Then they berated him for not having more and made off with his personal property. They ravaged his growing crops, stole his grain, his horses and cattle, even the hinges from his doors and gates.

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\* This legend, dear to the hearts of Californians and supported by early historians, is of doubtful authenticity.

Sutter's servants joined the gold-seekers. There was no one to protect him or his property. Even his clerks, his cooks, his hostlers and gardeners left him to pan gold. Bigler and his Mormons alone had souls above the yellow metal. They turned their faces toward Salt Lake and the gold fields knew them no more.

It is impossible adequately to depict the swarming of the fortune-hunters. Even before the spreading of the news brought them from the Eastern states and foreign lands, they arrived in incredible numbers, a great stampede. The towns were deserted. Most of the stores had to close. Doctors, lawyers, soldiers flocked to the American River. Hundreds of ships rocked crewless in the waters of San Francisco Bay. School teachers deserted their pupils. Churches had to close. It was unimaginable.

The New York *Journal of Commerce* printed the following letter from a correspondent in Monterey, California, August 29, 1848:

"At present people are running over the country and picking it (gold) out of the earth here and there just like a thousand hogs let loose in a forest would root up ground nuts. Some get eight or ten ounces a day and the least active one or two. They make most who employ the wild Indians to hunt it for them. There is one man who has sixty Indians in his employ; his profits



are a dollar a minute. The wild Indians know nothing of its value and wonder what the palefaces want to do with it; and they will give an ounce of it for the same weight of coined silver or a thimbleful of glass beads; or a glass of grog. And white men themselves often give an ounce of it, which is worth at our mint eighteen dollars or more, for a bottle of brandy or a bottle of soda-powders or a plug of tobacco."

Thousands were at work in a gradually widening circle about Marshall's Mill. The gulches and ravines of the Feather and Yuba rivers and their smaller tributaries were "lousy" with gold. That term, so lavishly used in the conversation and "literature" of today, was popularized on the American River. The miners knew much better than we how descriptive it was. They knew from experience after a few weeks in the mining camps. But they did not care. They were making too much money to wash or change their clothes. Most of them had no clothes to change and no time or soap to wash those they wore. They attacked the stream beds and banks with knives, picks, shovels, sticks, or even fingernails. Every day revealed a new field, a fresh stampede.

Bancroft, the historian, searching for a parallel, likens the Gold Rush to the religious crusades of the ninth century, when all Christendom rushed into Palestine to

recover the Tomb of Christ from "heathen usurpers." But that was a very small affair in mass movement—however important it was spiritually—compared to the California Gold Quest. Trade and crafts were not disrupted by the Crusades. Government went on as usual. But during the Gold Rush there were not even soldiers left in the presidio at San Francisco. Lieutenant Sherman—yes, William Tecumseh Sherman, later to wear a general's stars and devastate the South—came galloping along the Mother Lode highroads looking for deserters with a provost guard. There were scarcely enough privates left in the headquarters of the Military Department of the Pacific for a drill team. They were A.W.O.L. in the gold fields. Sherman found them in every camp and some of them, backed by their fellow miners, resisted his authority.

Even the passenger steamers plying between San Francisco and the Panaman Isthmus couldn't make return trips until they had shanghaied a crew or hired mariners too old for mining at unheard-of salaries to operate their vessels. Negro cooks got as high as \$500 a month and stokers from \$250 up. The situation became so alarming that the United States ship *Ohio* had to keep a watch on passenger boats day and night to prevent wholesale desertions. By and by even the *Ohio's* sailors failed to return from shore leave and she steamed

up to Alaska with what was left of the crew to keep her own men out of temptation.

There was never anything like the Gold Rush. There will probably never be again. And there was never a social upheaval to equal it, a political renaissance as bizarre and complete, as naïvely, absurdly effective. Each county made its own laws; each camp was a independent commonwealth. There were courts and officers and a vague background of federal control. But when any important question arose the people—the red-shirted, booted, unshaven, unwashed workers—gathered around a bonfire—or perchance in a hastily commandeered gambling tent if the weather were too inclement, and settled things according to their needs. When their conclusions disagreed with some judge's decision or a constitutional enactment, that was too bad for the court or Uncle Sam. And God help the officer who tried to persuade them otherwise.

Later came the militia and armed force—as exemplified in the Arroyo Seco dispute. But that was not until the middle fifties. And the disputants dispossessed by soldiers were homesteaders, agriculturists—a different breed from the early miners.

In July, 1848, Colonel R. B. Mason, Military Governor for California, visited the mines. He found Marshall living near the mill surrounded by thousands

of gold-diggers—bewildered by the Frankenstein he had created. Poor “Old Cap” Sutter, attended by a few faithful servitors, brooding and defenseless, was watching the despoliation of his lands, the shattering of all his splendid dreams. Mason returned to his command, which, after the disbanding of the New York Volunteers and the Mormon Battalion, consisted of about 145 officers and men. He made a report to Washington and issued a pronunciamiento warning Californians that unless they guarded the families robbed of natural protectors because of the gold stampede and prevented further desertions from the army, he would be compelled to declare martial law and place the mining regions under military control. It was a brave statement, but it meant nothing. Before it was even circulated almost half his own soldiers had deserted. And if he had had ten times the number under his command when he issued his warning, he could not have controlled a wild region six hundred miles long and two hundred wide, filled with fifty thousand armed and lawless men—including several thousand former soldiers. Nobody even took the trouble to laugh at his pronunciamiento, though at Washington it may have been taken seriously. Washington must have thought the western coast was a world turned upside down. From Colonel Mason, Consul Larkin at Mon-

terey, and many another source it heard of communism far exceeding the present Russian experiment, democracy beyond any theorist, and anarchy approaching the Neanderthal period, all impossibly mixed, coördinated and accepted. Bootblacks were returning from the mines to patronize a molding aristocracy; vaqueros and peons lived high on their clean-ups while the rancheros who had formerly employed them starved on deserted, neglected domains where cattle died of hunger and grain went unharvested. Sailors bought \$25,000 necklaces for women of the town and former newsboys drank champagne in the best hotels.

At San Francisco gold-dust poured in from the mines. In June and July \$250,000 worth; in August and September \$600,000 worth. The figures mounted steadily. The gold exports in 1848 aggregated two millions and the import duties alone totaled nearly \$200,000.

Rentals and property values soared incredibly. Three thousand dollars a month in advance was paid for a single store—not in one instance, but as a rule. They were small stores of rough-board construction, unplastered, the walls covered with cheesecloth, or cotton cloth.

A canvas tent of moderate size, used as a gambling den, brought its owner a rental of four thousand dollars

a year. Seven thousand a month was paid for the old log building on the Plaza (later Portsmouth Square). It had been the administration building under Mexican rule and was used as a Customs-House by the United States. The monthly rental was ten times the original cost of the structure. Its beams, incidentally, served as a gallows-tree from which the Vigilantes of 1851 hanged their first victim, John Jenkins, for stealing a safe.

Eight to fifteen per cent *a month* was the rate of interest on borrowed money. People paid it cheerfully enough. No one called it usury, for it was on a scale with all other transactions during that fantastic interval when "flop houses" charged \$3 a night (you furnished the bedding) and hotel rooms ran up to \$250 per day. Lots that had cost \$16 a few months previously sold for \$40,000, and congregations in tented churches voted their pastors \$10,000 annual salaries.

Naturally there were Gargantuan swindles, hoaxes, superstitions. The Gold Bluffs excitement of 1850 fathered one of the most extraordinary of these projects. A company was formed to mine certain black sands on a stretch of seacoast. It promised each of the original promoters \$43,000,000, but left them stranded with a crippled steamboat and a lot of debts. As late as 1871 the Great Diamond Hoax, promoted in San Francisco,

included among its dupes the noted jewelry house of Tiffany and interested even the Rothschilds, Europe's money kings. It left a \$50,000,000 company holding the bag in a location "salted" with cheap "nigger-heads" and some genuine diamonds, including a partially cut stone which exposed the trick. But both were soon forgotten, as were all things in those hectic, swiftly moving years.

All the familiar bunco games were played in the mining camps. From electric heart-discs to diving bells, every absurd scheme that man could invent for finding gold was manufactured and sold. There were many feather-brained quests for treasure, most of them innocent enough, including the stampede to Gold Lake, where the stampeders were with difficulty dissuaded from hanging the man who had led them on a wild-goose chase. The miners of the Gold Rush period were a trusting, credulous lot, forever investing in the most barefaced frauds, trusting any smooth-tongued stranger with their dust, sometimes with the savings of years; forsaking their profitable "ounce diggings" (one ounce of gold per day) for chimerical bonanzas. . . . They pocketed their losses with a shrug and a grin. . . . "Easy come; easy go," was their slogan. But woe to the man they caught tricking them. The faro and monte dealers were more or less straight . . . They had to be. There

was usually one pair of sharp eyes, one sophisticated mind in a mining camp. And God help the gambler caught cheating. He didn't last long.

Good-looking women, mostly foreign and usually Spanish or Mexican, frequently dealt in the card games. They didn't last long either—as such. They had their pick of the Mother Lode for husbands. And some of the picking was good. Moreover, they didn't like gambling as a rule. They yearned to be “respectable.”

During the late forties prospectors spent much time looking for “the source of gold.” They had a vague idea that it had all washed down from a vast storehouse of precious metal somewhere in the mountains and they traced many streams to their beginnings in the high altitudes. They knew little of geology, but it is possible that quartz mining in California was more or less the result of these futile, haphazard gropings for concentrated wealth.

The Sonorans, of course, knew that gold was to be found in rocks. They were experienced miners. And a few Americans knew at least the legend of gold mining—especially those who came later—from Eastern colleges, some of them. But the rank and file were ignorant as babes. To them the golden grains were a magic that came out of the ground, that meant pleasure or station or power to him who found



them, and any fantastic theory concerning their origin was acceptable.

So it is more than probable that the first auriferous veins of the Mother Lode were discovered by men in search of mountains of solid gold or caves filled with the metal of destiny. Somewhere in the mountain fastness of Mariposa County that would be, high above the brawling, twisting Merced River which carved out the Yosemite Valley. There the first quartz gold in California was mined. There the Mother Lode was discovered, and there, as is described in following pages, a separate and extraordinary chapter of Gold Rush history was begun.

## CHAPTER II

### *Mariposa and the Frémont Grant*

IN MARIPOSA COUNTY, one of the most beautiful and wildly picturesque regions of the world, the great Mother Lode of California has its beginning. Here the first quartz gold in the state was mined in August, 1849. This was a year and a half later than James W. Marshall's sensational discovery of placer or stream-deposit gold which started a pilgrimage of treasure hunters when it became known; but it was the finding of the Mother Lode that stabilized gold production, making it a great and lasting industry instead of a hectic and transient pursuit of scattered grains in water courses, some of which dried up in summer and most of which were exhausted of their gold deposits in a comparatively short time. Had it not been for the Mother Lode discovery in Mariposa County, California, like the Klondyke and other El Dorados, before and after, might have contributed only a brief page to the history of gold production. As it was, the Mother Lode continued at a high pressure for a decade or more and ceased producing for a variety of reasons that had little or nothing to do with depletion of its veins. Especially is this true of Mariposa County.

In 1844 Manuel Micheltorena, Governor of California under Mexican rule, bestowed the region which is now most of Mariposa's treasure ground on his predecessor, Juan Bautista Alvarado. The latter had asked for a grant of "pasture land," and Micheltorena, with the largesse of his time and resource, gave him "ten square leagues," containing about 45,000 acres. With the bestowal of this magnificent gift he doubtless indulged in a covert smile, for he must have known that Alvarado's "pasture" was a wild, mountainous country, sparsely watered, including much arid and stony soil broken with outcroppings of rock and inhabited by hostile savages. Neither Micheltorena nor Alvarado had the faintest suspicion that it was rich in gold. Alvarado sold it a few years later for \$3,000.

John C. Frémont became the new owner. He had entrusted Consul Larkin at Monterey with money to buy for him a tract of Mission land, but Larkin bought the Alvarado tract instead. Frémont was far from pleased with his bargain. This was in 1847.

Again no precience of hidden treasure entered into these transactions. Frémont let the land lie fallow for a year, disgusted by the miscarriage of his plans. It was not until gold of exceeding richness had been discovered by wandering prospectors along the Merced River that the Pathfinder manifested any interest in his new pos-

sessions. Then he acted with commendable celerity. By virtue of his commanding position in national affairs, he avoided much of the delay which usually attended confirmation of Spanish or Mexican grants. The United States Court established his ownership promptly and ordered a survey to determine its exact boundaries.

By this time quartz mining had developed on the Pine Tree and Josephine claims, both of which were considered beyond the borders of Frémont's grant. They were exceedingly rich claims, and it seems a trifle extraordinary that the resurvey, made by government engineers more or less under Frémont's guidance, should include these mines. Such, however, was the case. Investors in these as well as other claims were both amazed and furious to learn that their mineral rights had been legislated out of existence. They resisted, first by appeals and counter-claims which seem to have brought them little or no relief, and later by desperate armed sieges, characterized in those days as "claim jumping." Some of these, however, were not without their semblance of law, for a certain Judge Berry had rendered an interpretation of the California land statutes granting "all persons" the right to "enter and hold unoccupied claims."

To take advantage of this ruling the Merced Company is said to have bribed one of Frémont's watchmen.

At any rate, he left open the shaft door one night and an entrance was effected. Finding themselves for the moment the sole occupants of the property, the Merced Company's hirelings, numerically strong, well armed and provisioned, repelled Frémont's miners at dawn.

One of Frémont's biographers presents a dramatic picture of such an incident. He tells of the Colonel's home-coming *en famille* to the Mariposa estate to find rest after Eastern labors and campaigns. Then, as in a play, Frémont's retainer enters pantingly upon the scene of *dolce far niente* to announce that the Hornitas League has jumped the Black Drift. Jesse Benton Frémont, his wife, asks alarmedly if this "means danger." And the doughty Colonel answers nonchalantly "No, my dear; but it means work."

He departs, one might imagine with a clank of spurs, to drive out the invaders. But a hundred men, he learns, are holding the Black Drift. One may approach it only by a narrow road. The shaft mouths open on small leveled platforms only wide enough to turn the ox-teams with their loads of ore. Below, almost precipitately 1600 feet, the valley of the Merced River lies.

What to do? The Colonel summons his adherents. All seems lost until young Douglas Fox, an English boy, cries "I will ride for reinforcements."

"Saddle 'Ayah'—she's the fastest in our stables,"

Frémont shouts. There is a beat of hoofs. Amid the cheers of Frémont's men the boy rides off. He gallops madly, perilously down the trail, along the narrow road beside the river, into Coulterville. There he meets with hisses and hurrahs, for Frémont has more enemies than friends among the townsmen. But finally a messenger is found. He rides pell-mell to Stockton, eighty miles, to see the Governor. "Frémont is my friend," the latter says. "Send the militia to the Mariposas."

Meanwhile the invaders, intrenched in tunnel and shaft, behind mining machinery, timbers and powder kegs, defy besiegers. They threaten to blow up the mine and themselves if driven to extremities. The militiamen are baffled. No force sufficient to dislodge them can be massed on the narrow approach.

Finally a truce is effected. The claim-jumpers are allowed to depart with the honors of war. Frémont recovers his shafts and their operation is resumed. But the war in the courts goes on.

At this time Frémont had installed a number of stamp mills and, though his title was finally cleared by the Supreme Court, he was in a desperate situation. He had spent enormous sums in litigation and incurred vast debts. He faced an adverse popular sentiment. The miners as a class were against him. His huge grant with its twenty-nine gold mines was overrun with pros-

pectors and claim-jumpers. Though driven off time and again, they returned or shifted their activities to fresh zones. They destroyed much of his timber and committed other acts of sabotage and despoliation.

Frémont's gross returns from mining properties in operation ran as high as \$2600 a week, but expenses were large and his taxes alone aggregated \$16,000 a year. He was not, for all his talents, either a business man or a miner. Years afterward his failure was partially explained by the discovery that a large body of ore from his mines, assaying \$29 to the ton, had left \$16 in the tailings. In his Benton Mills smelter *seventy per cent of the gold was lost in reduction*, according to a report by Professor Ashburner of the United States Geological Survey.

Though the gold fields of Mariposa County were prospected and mined during the early days of the Gold Rush by as rugged and individualistic a throng of treasure seekers as any other section of the Mother Lode, the early exhaustion of the rich surface placers and the flotation of Frémont's grant over practically all of the quartz veins changed this region from a poor man's El Dorado into a sort of feudal domain of which Frémont became the overlord. Half a dozen towns were on his property. He installed large plants, invested hundreds of thousands in the latest machinery,

not always practicable, and employed an army of men. He even made himself responsible for their economic and physical welfare, installing his own shops with what he called "honest shopkeepers," in contradistinction to "scheming traders." He employed a Viennese baker to make their bread and an Italian restaurant keeper to feed them. He constructed a railroad up the steep slopes to his shaft openings and built the Benton Mills smelter plant—which wasted three-fourths of the gold that passed through it.

"When one speaks of the Colonel in California, one means Frémont," Horace Greeley wrote to his New York paper. He visited the Frémonts and was much impressed. Frémont confided to the great editor that his taxes, litigation, and development totaled half a million dollars in 1857. His steam-power mill of eight stamps near the Frémont home and his water-power mill of twelve stamps on the Merced River showed a combined profit of \$10,000 a year against his enormous outlay. So the end was only a matter of time. Soon he was bankrupt.

One of his lawyers was David D. Field, who received huge fees from Frémont and did him little good. Field was later connected with Jim Fisk and Jay Gould in many bizarre transactions and served as advisor to Boss Tweed of notorious memory. Another trusted friend



of the Colonel was George Opdyke, "a slippery speculator," according to historians. Between such allies and his numerous enemies Colonel Frémont was stripped clean.

Nor did those who finally wrested from him the mines he had gained in, perhaps, a questionable manner succeed with them better than Frémont. A curse seemed to have been laid upon them, people said, for, after \$10,000,000 of his successors' money had followed Frémont's lavish investments, the mines fell at last into a sheriff's hands. They were abandoned and stood idle through the years; their timbers and equipment rotted while the plants were battered almost into ruins by the snows and storms of Mariposa winters.

A figure of almost equal interest and importance with the ill-starred Frémont, insofar as Mariposa County's history is concerned, was John D. Savage. A "savage" man he was by name and character, although he was at heart a just and kindly one. And with the savage tribes of Mariposa County he was very seriously concerned. He came there as a trader in the latter forties, when the Central California Indians were a menace to the whites. But Savage seems to have made friends with them. He learned their tongue, he respected their ways. He succeeded in winning their friendship. And, to make alignment with them more assured, *he*

*married five of their squaws.* They were the daughters of five different chiefs.

An uncouth border man who lacked both culture and distinction, he was yet a diplomat and statesman of no mean attainments. He brought peace about between the redskin and his Great White Father in Washington. The paleface was allowed to trap and hunt, to scour the streams for gold; to trade firewater, beads, and worthless knickknacks for pelts and maize. In fact, so greatly did the Indians trust and like this bearded giant that they made with him a common cause against their own blood brothers, the Yosemite. Last of the irreconcilables, this tribe had a fashion of swooping down on settlers' homes, leaving destruction in their train and vanishing mysteriously into regions unknown to the whites.

Savage held a powwow with the chiefs who were his friends—and for the most part his fathers-in-law. He assured them that continued depredations would result in punitive campaigns by United States troops, the abrogation of favorable treaties which included rations, and eventual extermination for the Indians. Between persuasion and coercion he obtained native guides, and at the head of the Mariposa Battalion, about two hundred strong, he began a march into the stronghold of the hostile tribe.

These guides led Savage and his men into a strange and beautiful country up steep and slippery trails, through groves of towering sequoias, and, after several days of marching, to a spot now known as Inspiration Point. There they overlooked the Valley of the Little Grizzly Bear, or Yo-Se-Mi-Te, as the Indians called it. So splendid were the vistas of its towering crags, flowered meadows, and lacy waterfalls that Savage and his men for a time forgot the purpose of their expedition, lost in the majesty of the scene. It was only after an appreciable interval that they recalled their martial mission and descended into the wonderland, exalted by its grandeur and a little dazed, as if they had beheld something supernatural.

Still, perhaps, under the influence of benignant Nature, they rounded up their quarry and, without the use of arms, persuaded them to return and ally themselves with other "friendlies" in subjection to the United States. It was not, as later events proved, a complete pacification. Tenaya, their bold and unconquerable chieftain, led them again to the valley they loved, and until his dramatic death, some years later, asked and gave no quarter to his enemies. Not until then was it safe for white men to venture in or near that Indian Paradise now famed around the world.

A year after Savage's discovery of the Yosemite

Valley, he led the first white settlers into a new county south of the Merced River. Tulare County was created by partitioning Mariposa County. It comprised the southern half, still inhabited solely by Indians. In April, 1852, the party led by Savage held the first election within its borders. It seems to have been an extraordinary proceeding.

The voting took place at a point called Poole's Ferry, on the King River, and later at an abandoned settlement known as Woodville, where a trader named Wood had settled on the Kaweah River and had been killed by Indians. The total vote is recorded as 109 ballots, which served to elect a county judge and a constable. It seems to have been a political gesture without much purpose or consequence save, perhaps, the establishment of a precedent. For on the following day Savage, with most of the voters and elected candidates, returned to Mariposa County, leaving the infant county once more to the mercy of its Indian settlers until a reservation on the King River was established by Savage as Indian agent for the government.

As these chronicles are not concerned with the history of Tulare County, we need pursue its destinies no farther, except to record the tragic and lamentable death of Savage himself. It was the result of a controversy between him and a man named Walter Harvey.

The latter had been a ringleader in illegal attempts to wrest reservation lands from the Indians and Savage had denounced him to the government. When he learned of this, Harvey sent word to Savage daring him to come and fight it out. Savage, fearless as he was blunt, mounted his horse and rode forth to accept the challenge. He rebuked Harvey in the presence of both Indians and Americans. When the man retorted with a "fighting epithet" Savage knocked him down. Harvey, "playing possum," lay, apparently unconscious, till the Indian agent turned his back. Then he treacherously shot him, inflicting a fatal wound. Harvey was permitted to go free, but public disapproval forced him soon thereafter to depart.

It was in Mariposa County that Joaquin Murieta, the Napoleon of western bandits, gathered many of his band of murderous desperadoes who defied the law and all its forces for a number of years. History recites that Murieta and his Mexican paramour, Rosita, suffered grievous wrongs at the hands of American miners, apparently for no better reason than that there was a strong antipathy to "greasers," an outgrowth of the Mexican War. But it was not until Rosita had been wantonly violated, his half-brother hanged on a charge of horse-stealing, apparently undeserved, and he himself had been flogged without just cause, that

Murieta swore vengeance. He succeeded in murdering most of his individual persecutors, but, far from satisfied with this, he gathered a band of outcasts and thieves and at their head plundered and killed almost everyone he encountered. Among his strangely contrasting characteristics were an adherence to his given word which approached nobility and a ruthless bent for killing all who opposed or angered him.

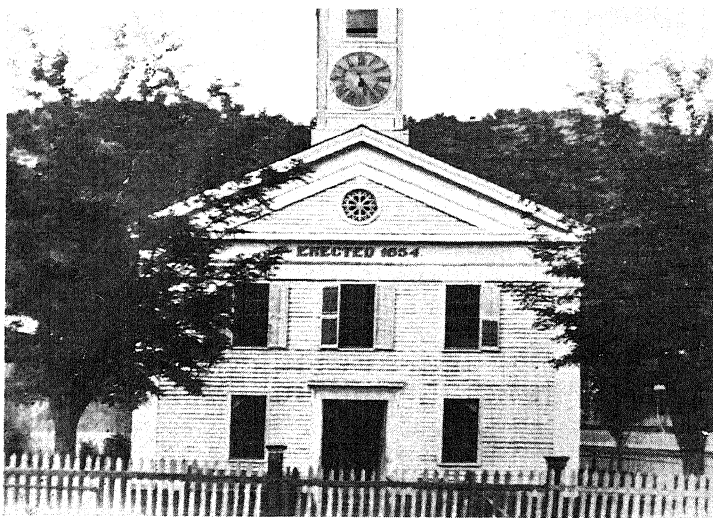
Murieta's band consisted at one time of almost as many women as men. They wore male attire and sometimes took part in the raids and battles with posses. A lawyer named Dorsey who had befriended one of his leaders often encountered Murieta or his men while traveling. He was given the freedom of their camp and shown the greatest hospitality. Claudio, the robber he had defended in a court of law, promised him a handsome horse with silver trappings. But Dorsey never received it, for Murieta's fortunes declined about this time. He was killed in a battle and his decapitated head carried off as proof that his slayer had earned the substantial reward offered by the State Legislature. Claudio escaped, but was later hanged for horse-stealing in Los Angeles.

"He was probably trying to get the horse he promised me," was Dorsey's whimsical comment when he heard of Claudio's execution.

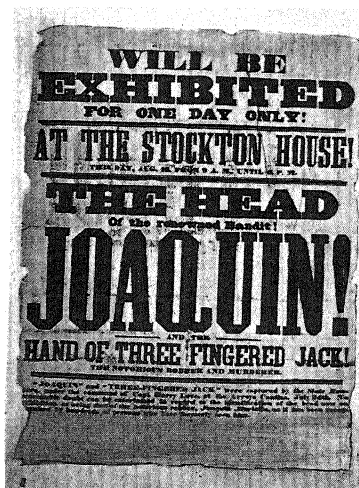


—Courtesy John Howell

*Captain John A. Sutter, land baron and pioneer. Gold found near his sawmill started the Rush of 1849*



*Court house, Mariposa, where Frémont fought many legal battles with his foes over Mother Lode gold*



—Courtesy Wells-Fargo Bank

*Gruesome poster and sketch of Joaquin Murieta, famous outlaw, whose head provided the exhibition*



### CHAPTER III

#### *Sonora and Columbia*

WHILE MARIPOSA COUNTY saw the first gold riven from the rocky veins of California's Mother Lode, it was Tuolumne County that lured the vanguard of the treasure seekers; Tuolumne County with its gold-laden streams, easier to reach and easier to mine. ✓

And here is an odd fact, little known, lightly stressed by historians: The pathfinders of the Gold Rush were neither those rough, robust pioneers who piloted their caravans across the plains nor the hunters and trappers of even an earlier day. They were roving bands of Mexicans called Sonorians because they hailed from the great mining province of that southern republic out of which California had been torn as a trophy of war. They came from its *veta madre*, or Mother Lode, a name they bestowed on the huge quartz belt they unearthed in the new land.

These were expert miners. They had the knowledge and the flair for finding gold. They opened both the placers and the quartz veins of the Mother Lode, locating some of the richest camps that flourished in the forties and early fifties. ✓

But they seldom stayed long enough to reap the rewards of their discoveries. In their wake came "gringos"—avid, lusty, and invincible. Against their boisterous exhibitionism these shy Latins had no adequate defense. They feared and distrusted these men who had defeated them in an aggressive war, who had despoiled their country of its rich possessions on the North Pacific Coast. So they moved on, abandoning their claims to an ever pursuing army. It was easier to find new ones than fight.

Later on, when other Latins came into the gold fields—Spaniards, Chilenos, Peruvians, and swarthy brigand types from Italy—there was common cause between them. Then—in the early fifties—they gathered in armed camps and defended their rights. Growing bolder with success, they committed depredations, sluice robberies, even killings. Hostility between them and American miners grew until it culminated in a state law imposing a prohibitory tax on all foreigners.

The first important settlement—before this amalgamation—was called Sonorians' Camp. Men did the Mexican explorers that much honor. Later it was shortened to Sonora, as it remains today.

The first actual entry of Tuolumne County—excluding the possible peregrinations of trappers unrecorded in history—was that of a party of Philadelphians under

the leadership of a militant clergyman, Reverend James Woods. They were seeking gold in a more or less haphazard fashion, and were one of the numerous bands running hither and yon, without much idea of direction. All of them were excited by the gold discovery at Sutter's Mill, and all of them hoped to find treasure in the rocks and streams of California. But few of them knew how or where. They camped on a little water-course which they called Woods' Creek, after their leader, panning and sluicing its sands, wildly exuberant over the few golden grains their inexperienced processing yielded. And while they were thus engaged, a party of dark-skinned, soft-spoken prospectors passed them, pushing on up the creek past the crossing to the spot where Sonora now stands. There they camped, these strangers, working feverishly at their placers and avoiding any contact with Woods and his companions. They ignored those of the Americans who strayed curiously into their camp, answering "Quien sabe" to all questions.

Resenting this lack of fraternity, unable to understand Spanish, the Woods party turned their attention elsewhere. Colonel James, a lawyer, had brought "an outfit" to the place later called Jamestown after him. He spoke largely of "rich diggings" and made grandiose plans for their development, but accom-

plished little beyond squandering the savings of many who trusted him. At Mormon Gulch, Judge A. A. H. Tuttle built the first log cabin, amid tents and *ramadas*, or brush huts. The place was called Tuttletown, and it was to accomplish more for literary tradition than mining, because Bret Harte and Mark Twain became associated with its history. Peppermint and Jackass gulches, Mountain Brow and other whilom camps claimed their mead of attention. Flour was \$3 per pound. Bread, beans, coffee, and "saleratus" brought equal sums. Salt pork sold for 50 cents *an ounce*.

It was not until the spring of '49 that Sonorians' Camp was settled—after its Mexican discoverers had "vamoosed."

American miners found it a rich field. Although the terrific gold invasion from all quarters of the earth had not begun, the camp grew rapidly. Every day new tents were set up. It was a topsy-turvey period in human affairs. A new world was being formed in a land flowing with riches and knowing no law. It was a social democracy more naturally approximating the Utopian ideal than any of the formulistic experiments since developed. Men of all classes and conditions—there were no women yet—worked side by side fraternally. They traded provisions and tools, lent each other a hand when needed, and took care of the

sick or needy in a truly Samaritan spirit. Their tent-flaps were always open, their property at the mercy of any casual passer-by. But there were no thieves. There were disputes, but no violence. Fisticuffs there may have been, with handshaking after the battle and grudges forgotten. Drinking there was when liquor could be had and rough practical jokes. But life was amiable and just, until the later years. Then came the world's bold rascals, mercenaries and adventurers. And upon their heels there followed harlots, gamblers, rot-gut whisky sellers—that fine trinity of parasites which history knows so well.

But in the spring of '49, Sonorians' Camp was still a lusty Arcady, singing boisterously at its work, eating enormously of the coarse unbalanced rations which were to bring scurvy later on. There is some dispute as to when the first women came. They are generally believed to have been the sisters Mariana and Jesus Ramirez. They were deluged with rough gallantries and proposals, as one might expect. Eventually, as might have been expected too, they married and did their share in pioneering such civilization, such law and order, as came to the place. The first Chinese appears to have been Ah Chi, and, true to form, he kept an eating-house. Another presently arrived and filled the valued post of "washee man." A third is said to have

been Sonora's original gambler, operating one of those mysterious lotteries based on a square paper ticket covered with Chinese numerals and holes made with a ticket punch.

With the drying-up of roads, rendered almost impassible by winter snows and rains, the treasure-seekers came. Stockton was the gateway to the southern mines, as they were called. Stage fare as a rule was \$20. Board was \$3 per day at its cheapest. Pork and beans averaged \$1 a plate, and lodgings scarcely fit for cow-stables brought a dollar a night for enough room to lie down. The lodger provided his own bedding.

Ordinary money, the legal tender of the nation, was almost unheard of. Payment was made in gold dust whose value was guessed at. Scales were unknown. From their pokes miners poured dust upon counters until buyer and seller arrived at an agreement. There was little serious dispute. Usually the loudest voiced, the most insistent, won. What mattered a scruple of gold, or an ounce for that matter. There was plenty more. Bartenders took a pinch for a drink, dipping two fingers into the customer's poke and withdrawing them with as much as they might bring forth. If the "mixer" had a broad thumb and forefinger, he was a great asset to the house.

By early summer time Sonora's scattered tents were

interspersed with larger "tops." Under them blossomed "bars." At first they were mere planks supported at both ends by whisky barrels. Tin cups served as containers, whether the drink was beer or rum. Underfoot was the rough, uneven ground, slippery with expectorations or murky with the kicked-up dust of dancers. Not all of the saloon-tents were large enough for dancing, but all of them had monte tables or faro games. Everything was flimsy and transient. Destructive fires raged at intervals in these early camps, burning everything in sight. But in a few days new tents and equipment came. Usually the saloon-keeper with his plank across two barrels was first to resurrect from the blaze.

As Sonora's population grew there grew with it a wish for law and order; it remained an indeterminate desire, fruitless for lack of initiative, until a citizen named R. S. Ham capitalized the demand. He announced himself, amid cheers and without benefit of ballots, the Alcalde or Mayor-and-Judge of the camp. Before him were brought many disputes of a minor character, which he decided with as much wisdom as might be expected of an ignorant, selfish, and half-drunken judge. His verdicts, though they left much to be desired, were accepted by the good-natured, half-amused citizenry until a sudden revolt unseated Judge

Ham as unceremoniously as he had placed himself in power.

The occasion was a sailor's arrest for thieving. Ham, after listening to the evidence, which was fairly conclusive, ordered the prisoner "into confinement." This, in itself was sardonic enough, for Sonora contained no jail. He evidently meant to place the man under surveillance, which must have meant in a loose way that he was to be watched by the community-at-large and not permitted to escape. It was generally believed that Ham meant to have him hanged the next morning, when he had time to attend to the matter.

Now, it appears that this unfortunate and perhaps guilty person had a good friend and shipmate in Sonora. His name was Charlie Basset and he was a man of force and energy. That evening, while Alcalde Ham was roistering, Basset rounded up his campmates and put over an election. By a practically unanimous vote he removed Mr. Ham from office and substituted James Frazier, storekeeper at Sonorita Gulch. He was said to be a man of culture and attainments.

There is no report of any opposition on the part of Ham. He seems to have surrendered the judicial bench as casually and informally as he seated himself thereon. He probably was not sober enough for days to understand what had happened. And, when he



did, one can fancy him shrugging his shoulders with the good-humored fatalism of his circumstance and type—and ordering drinks for the house.

Meanwhile court had convened under Judge (or Alcalde) Frazier, and the supposedly thieving sailor had been brought to trial. Since Frazier had been elected primarily to save this man from the extreme penalty of law, and since, on the other hand, a scott-free acquittal would have been unpopular because there was strong evidence of guilt, the court decreed that his prisoner be flogged and banished. The judgment was acclaimed as a just and wise one. The sentence was carried out.

It may be interesting to note here that a flogging and not a hanging was the first extralegal punishment to which the term "lynch law" was applied. Its precedent was the act of an exasperated Virginia planter who caught a darkey in his chicken-coop. Instead of calling the police, he tied his captive to a tree and flogged him thoroughly. As the planter's name was Lynch and as the circumstance was related on the Mother Lode by miners from the South, it became popular parlance to "Lynch" an offender, sometimes after a sort of "drumhead court martial," but quite as frequently without any formality beyond an aroused public sentiment. Most of the early offenders, includ-

ing murderers and horsethieves, were flogged, the punishment, in extreme cases, being extended to shaving the head or even cutting off the ears. There is the record of a man tried, convicted, and shot by members of a covered-wagon train for killing a companion in a quarrel. But the stretching of hemp was to come later, both as a legal and an extralegal punishment.

Alcalde Frazier's second trial was in proof of this. It was a homicide and it was punished by a fine. No flogging, no head-shaving this time. The prisoner was a gambler. He had in his possession the sum of \$500. That was the amount of the fine.

This trial was not without its subtleties. It seems that Gambler Atkins, for such was the culprit's name, had been winning too steadily from a group of Irish miners who bucked the faro layout at Big Barn, on Sullivan's Creek. They accused him of cheating. And, though he denied it vehemently, they manhandled him. They might have done him serious injury but for a man named Boyd or Boyden, who defended Atkins and effected his release from his assailants. Atkins hastened to his tent and there he loaded his gun, determined to protect his somewhat damaged person from further indignities. Presently he saw figures approaching, and with a sort of blind fear and resentment he fired upon them. He had the bad luck

not to wreck a vengeance on his persecutors, but to shoot and kill his benefactor.

Perhaps because of Atkins' manifest regret for killing Boyden, whom he had not meant to harm, as well as his undoubted provocation to the gesture of offense, Frazier confiscated his money, instead of taking his life, for which there was no precedent, or his liberty, which he had no means of restraining. When Boyden's friends, who had expected something in the nature of Mosaic law, expostulated, they discovered that it was too late to remedy the situation. Atkins had "va-moosed" and Frazier was \$500 richer for the circumstance. One of Boyden's pals was so incensed that he "went for his gun," intending to "collect" from Frazier. But the latter, warned in time, accomplished his arrest and fined the would-be slayer all his worldly goods for "threats to kill."

As for the banished gambler, he was later heard from as the sheriff of Siskiyou County.

Incidentally, it was Frazier who named the place Sonora. He remained in office until November 7, 1849, when the citizens formed a more stable government and an engineer named Vineyard laid out the camp in town lots. All this was not so much the consequence of civic pride as of necessity for concerted action to combat an epidemic. Scurvy was sweeping that por-

tion of the Mother Lode. Hospitalization and proper care of the sick were imperative.

So an auction of town lots was held. With the revenue derived from this sale, augmented by private subscription, a hospital was built and equipped. A medical steward was installed at a wage of \$8 per day and the principal remedies employed to combat the disease were lime juice and potatoes—the former at \$5 per bottle, the latter at prices ranging from \$1 to \$1.50 per pound.

The scurvy was finally checked, but not before the expenses of Sonora's hospital threatened to bankrupt the new municipality. So great was the demand for shelter from winter winds and rains, against which the flimsy tents and *ramadas* of Sonora's citizens provided inadequate shelter, that scurvy became a popular affliction, especially after a fire swept the town, leaving most of the population—now upward of 5000—homeless.

It was during this destructive blaze that the first real effort to maintain law and order by means of policing occurred on the Mother Lode. There had been no previous gesture aimed at the prevention of crime, although the deterrent threat of punishment existed. It remained for the same Charlie Bassett who overthrew Alcalde Ham to organize and direct the first

police force in Sonora. When he perceived that fighting the fire would be useless, he envisaged the after-effects and acted promptly. There were in camp perhaps half a dozen ex-soldiers of good character and dependable courage. Four of these—all he could find in the stress—Bassett rounded up. He equipped them with muskets and posted them about the smouldering ruins, assigning to each a patrol. Then, as commander of this miniature but nevertheless effective army, he issued a stern prohibition against looting. And it is a matter of record immensely to Bassett's credit that practically no thieving occurred.

The winter of '49 and the spring of '50 were in many ways notable in the swiftly transitory chronicles of Tuolumne County. They brought not only consciousness of law and order, sanitation, and municipal development, but ministered to spiritual needs as well, for in that season—the first Christmas on the Mother Lode—came Padre Arnault to round up a handful of God-fearing people and lay the foundations of religion. He drew them to worship under his ministrations, first in *al-fresco* gatherings, later, when the rains came, under any friendly sheltering roof, sometimes a gambler's donated tent. In 1850 the first church was built in Sonora.

In March, 1850, a party of Mexican miners, driven

from their claims on Santiago Hill by the encroaching "gringos," found new diggings, rich in gold but difficult to work because of the scarcity of water. It was the site of Columbia, destined to become the noisiest, wildest, fastest growing, most spectacularly wicked camp on the Mother Lode.

The Sonorians who discovered it, four and a half miles from Sonora, were left for a time in peace. Rich as were the rocks and placers, it was no sinecure to work them. The Mexicans carried ore in sacks a considerable distance to the streams in that vicinity. There they pounded it in mortars and washed it for gold. It was back-breaking labor, but they were used to that. And the yield was worth while. They reclaimed seven or eight ounces each per day, a magnificent wage at current gold valuation and even then a rich reward.

But, as usual, they were followed and supplanted long before their rich resources had been gleaned. They had in fact but scratched the surface of the veins and placers when a party led by Doctor Thaddeus Hildreth overran their camp and elbowed them out of Kennebec Hill in the good-natured but nevertheless effective Yankee manner they knew so well. They went on, glowering and sullen, for they knew—none better—what a treasure they were forsaking. And the place,

under the militant divine who was now chief of the camp, became Hildreth's Diggings.

The Americans, five in number, took out fifteen pounds of gold per day during the first half week of their possession. By that time news of their success had brought a rush of newcomers from the neighboring camps of Sonora, Woods' Crossing, and Jamestown, and the advance guard from such distant places as Jackson and Mokelumne Hill. Among the most sensational of the new developments following this influx was the claim of Captain Avent. Working his prospect single-handed, he averaged  $12\frac{1}{2}$  ounces of gold during the first few days and continued with almost uninterrupted good fortune for months—until the water-courses dried up with the summer heat, to be exact.

After that many a fine claim was at least temporarily abandoned. For, where the more industrious Mexican was able to carry on by means of a process called "dry washing," the American miner was defeated. He never "got the hang" of mining without water, though the process was no secret; he had watched "the greasers" do it often enough, with a kind of good-natured contempt. Nor was it difficult to learn.

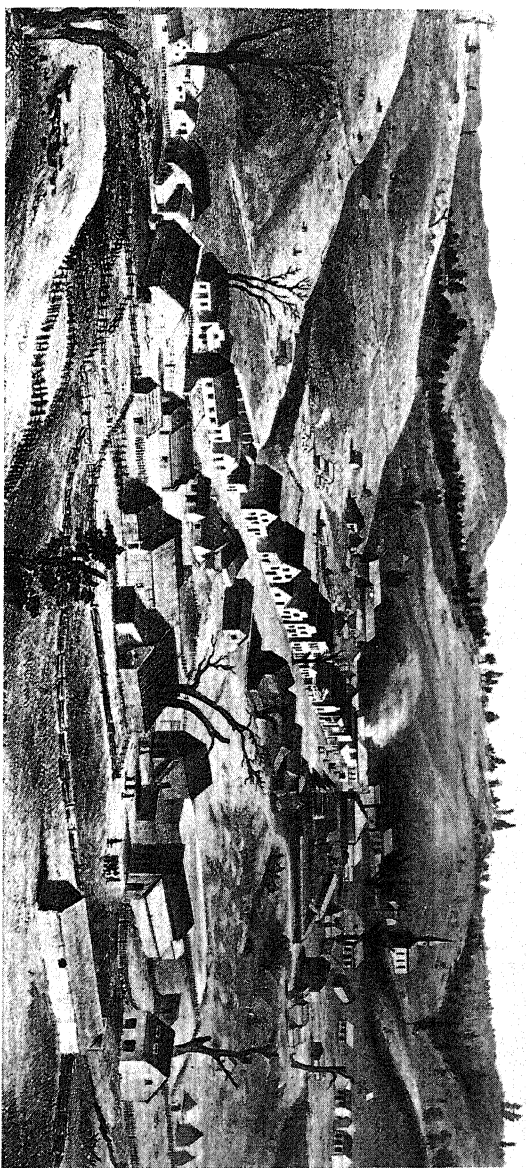
After the rock had been pounded fine in a mortar, the dry-washer scooped out a handful and let it sift

slowly through his fingers into another container, blowing smartly on the descending particles. Thus the lighter dust was blown away while the heavier gold-grains, resisting the air current, fell and were retained. Often a stiff breeze served in place of lung-power. Results were profitable, despite the added labor. But to American miners "dry washing" did not appeal in those days. It was too slow for their impatient avarices in the midst of Nature's largesse—and, somehow, beneath their dignity.

But long before the drying of the streams Hildreth's Diggings had become Columbia; had grown from half a dozen tents to a young and brawling city. By mid-April its population was six thousand. It had more than a hundred faro games, thirty saloons, four banks, twenty-seven produce stores, three express offices. Besides its theaters there was an arena where bulls and bears met in mortal combat for the amusement of crowds. It was this circumstance, described by Horace Greeley in his New York paper, which is said to have given Wall Street its picturesque nomenclature.

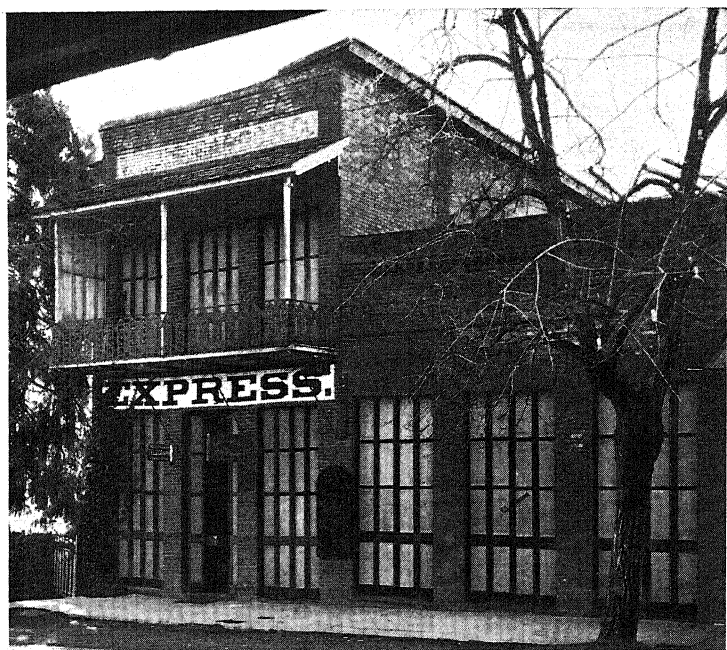
As a concomitance of the above set-up, gambling, drunkenness, and prostitution were naturally unrestrained, though by no means general. There was claim-jumping, horse-stealing, and petty theft, with an





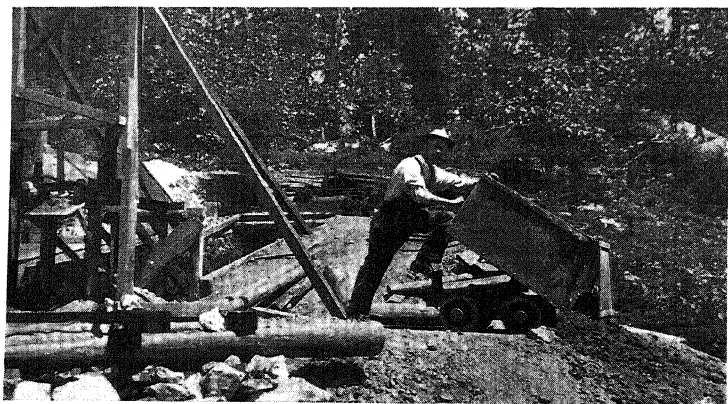
*Sonora in 1855, one of the first and among the liveliest camps on the Mother Lode*

—Courtesy Wells-Fargo Bank



—Courtesy Historic American Buildings Survey. Photograph by Roger Sturtevant

*Wells-Fargo express and banking office, in Columbia, as it looks today.  
Built in 1852*



occasional homicide. But, in the main, considering its utter lack of legal authority or machinery, this camp managed surprisingly well. When a group of order-loving citizens called an election, it was not to meet an emergency so much as to fulfill a tradition deeply grounded in the hearts of men for the need of established government. After considerable casting about, Major Sullivan—almost anyone over thirty who could read and write had a title in those days—was drafted rather than elected to fill the office of Alcalde. He was a respected citizen of Sonora and did not wish to leave that place. But he was half-persuaded, half-coerced into assuming office. Among his first official acts was finding a name for the town, and in collaboration with Major Farnsworth and D. G. Alexander he evolved the highly original name of Columbia—a tribute to the home town of numerous Missourian miners rather than to the discoverer of America.

Major Sullivan seems to have been a canny if not a meticulous jurist and to have rendered decisions which were satisfactory to the ribald humors of his constituents, though many of them would have been reversed by a modern court of appeals. John Gresby was the Major's constable, and between them they split the emoluments of office.

The first case to come before Alcalde Sullivan was that of Juan Santa Anna, a Mexican charged with stealing by one William Smith. Just what was stolen is not clear. But the guilt of the defendant was apparently established, for it is written that he was fined three ounces of gold-dust while the plaintiff defrayed court expenses as represented by a single ounce. As the fine also became the property of the court, this distinction is not clear. But those were not the days of fine distinctions.

George Hildreth, presumably a kinsman of the Reverend Thaddeus, brought suit to recover a pick stolen from him and found in a Frenchman's store. Whether the latter had bought it from the thief in good faith or had acted as a "fence" seems not to have mattered in the singularly direct and unsubtle procedure of that day and place. Hildreth demanded his pick and the storekeeper, claiming nine points of the law in possession, declined to surrender it without a *quid pro quo*. However, the pick was satisfactorily identified as Hildreth's property and restored to him by judicial decision. In this case the defendant was fined only one ounce of gold-dust for illegal possession of the implement, but costs amounting to three ounces were charged to him. In fact, the good major seems to have reduced the matter of fines and costs to its

simplest terms. Four ounces were invariably the aggregate, though the manner of assessment varied in bewildering fashion.

The case of a stolen mule, which came soon after, illustrates this fact and shows Alcalde Sullivan to have been a man who acted promptly in the face of a dilemma. Identification of the animal by its owner having been complete, it was restored to him. The man in whose possession it had been discovered was ordered to pay one ounce of gold-dust as a fine and defray court costs of three ounces more. The first part of the verdict was executed without difficulty, for the mule was obligingly surrendered. But when it came to the second part, a serious obstacle presented itself. For the defendant possessed not even a pennyweight of legal tender. When the Alcalde learned of this, he hesitated not an instant. "Let the plaintiff pay," was his amendment. "He's got his mule back—and he's got the dust."

At the height of Columbia's boom came the miners' tax, imposing a monthly assessment of \$20 on each and all foreign-born miners. It was near to precipitating civil war on the Mother Lode, for a large portion of its inhabitants were affected and many casualties resulted from the attempts to enforce it. The exodus of outlanders was so great that Columbia and Sonora

were practically depopulated over night. The latter was reduced to one-fifth of its former population and the former was deserted save for half a dozen intrepid souls. In some part this was due to the drying up of streams and to fear of armed reprisals by Chileans, Peruvians, Mexicans, and Spaniards who made a common cause of their wrongs and assembled in armed camps from which it was believed they intended to raid Americans. But most of these fears proved groundless. The Latin-speaking aliens expended much of their anger in warlike gestures and talk. Their bark was worse than their bite. Among them were a few lawless and vengeful spirits like that of Joaquin Murieta, for years the scourge of the countryside. But most of them were docile, non-aggressive people.

During the latter part of 1850 several sorties occurred between Americans and Latins—mostly Mexicans and Chilenos. Great excitement was aroused in Sonora by a report that Charlie Bassett, then the sole remaining resident of Columbia, had been murdered. A force of citizens was hastily assembled from the ragtag and bobtail of Sonora's almost vanished populace and rushed to the scene of the crime, where Bassett was found cooking his dinner in unmolested peace and plenty. He could do no less than invite his "rescuers" to share the meal, and they responded with great

gusto. Afterward, his larder being stripped, Bassett returned with them to Sonora, leaving Columbia, for the time, untenanted.

With the event of the rainy season both places were populous again and remained so until the sixties, when Columbia became an almost deserted village, and Sonora, having built up various commercial and industrial activities aside from mining, survived the decadence of the southern mines.

Early police records of Tuolumne County are illuminating. In 1849, for instance, only three murders are noted. This was during the first year of the Gold Rush—before the varied and assorted types of adventurers from the world's "four corners" had overrun this region. In 1851 there were eleven murders and two hangings, one for the theft of a horse. During 1854 there were twenty murders and two suicides, the first self-slayings recorded. And during the following year, by some strange serial coincidence, five people were drowned at different times and places, while eight were slain. The year 1858 marked the killing of two constables and the shooting of the first sluice-box robber. Sluice robbing was one of the most reprehensible of crimes, and those who attempted it courted a deserved death, according to public opinion, which did not even bother to try the executioner. There were few crimes

attributable to jealousy or sexual lust. Money, during the gold days, seems to have been the root of practically all evil.

Killings meant little if a shred of provocation or excuse existed. But vengeance was swift and summary when such was not the case. It is written in a county history that when Elander Boggs of Baltimore was murdered by one Bowen of Curtisville, the latter was "immediately hanged by exasperated bystanders."

On the other hand, the most astounding expedients were resorted to with the object of saving criminals from the gallows. One of these is said to have cost Columbia its chance to become the capital of California in 1853. Columbia was then one of the largest cities in the state, with a population between 12,000 and 15,000. And so enthusiastic and general was their ambition that 10,000 of them signed a petition to the Governor requesting that the necessary political machinery for transferring the capital from Benicia to Columbia be set in motion. This valuable and voluminous document was placed for safe keeping in the vault of a local bank.

Ordinarily it would have been delivered to California's chief executive by a delegation of Columbia's leading citizens, and, being without doubt the most largely undersigned popular demand of its day, it



could scarcely have failed to impress his excellency with the potency of Columbia's claim. But Fate intended it to serve a different purpose.

There are two versions of its misdirection. One is that Senator James W. Coffroth and other friends of a man condemned to hang seized upon the petition as a last resort. They are alleged to have broken into the bank vault, hypothecated the petition, and substituted for the request that Columbia be made the capital a plea for the pardon of the prisoner whose hour of execution was drawing near.

Another story is that the original petition was actually on its way to Benicia in the hands of Columbia's representatives. On the steamer between Stockton and Benicia they encountered, it is said, a group of sad and eloquent individuals also en route to Benicia to make a last plea for the condemned man. The two groups blended socially. Aboard the boat was an excellent bar and much good-feeling. Sympathy ran high, and it was at last decided that, no matter what the cost, an "innocent" man must not die. So, with tears in their eyes and the noblest feelings in their breasts, the Columbia delegation permitted "a slight substitution."

The governor acted promptly. To hang a man in the face of ten thousand protests was unthinkable. He pardoned the homicidal gentleman, who immediately

disappeared. When the hoax was finally discovered he was safe across the border. And in the laugh which followed Columbia forever lost its chance.

In 1865 two extraordinary events occurred. One was an example of poetic justice. Tom Horn, a ruffian who had assaulted many citizens, was finally locked in the county jail, from which he endeavored to effect his escape by setting the building afire. Instead of getting out, however, Horn was burned to death while eleven other inmates were safely removed from the flaming prison. The other casualty was the death of four Mexicans from what a coroner's jury finally and reluctantly pronounced "the inordinate drinking of wine." Since nothing of the sort had previously happened in the history of the county or within the knowledge of any inhabitant, it was looked upon as a sort of dark miracle.

Sonora published the first newspaper in the mining regions. In July, 1850, Volume 1, Number 1, of *The Sonora Herald* appeared on wrapping paper 9 by 13 inches, struck from a historic press. This instrument, originally imported from New York, had served for years to print governmental edicts in Mexico City. Later it was sent to Monterey, then the capital of California, and when Americans took over this city for the United States the old press was employed to

print one of the first American newspapers on the Pacific coast, *The Star*. By and by it found its way to Stockton, where the owners of *The Herald* bought and brought it to Sonora. Nine years later it was to give birth at Columbia to the short-lived and ill-fated *Columbia Star*, which fell into the sheriff's hands after a few issues. Soon thereafter the press was destroyed by fire—at least its combustible parts were, and the rest was broken up for old metal.

*The Sonora Herald*, for which a new and larger press had meanwhile been obtained, now issued a sheet 12 by 17 inches, and printed in addition to its American news several columns weekly both in Spanish and French for a cosmopolitan clientele. Though its editors were at intervals challenged to duels and threatened with assassination, they continued to live and thrive on an annual subscription rate of \$20. Single papers sold for 50 cents.

But this was essentially an era of high prices. Stage fares to Stockton brought \$20. Letters collected and delivered once a week at the end of the railroad line cost residents of Tuolumne County \$2 each.

Among the items printed in *The Herald* soon after its establishment was the fact that "Oliver Twist of Mormon Camp has a garden with melons growing." No mention of Fagan or Bill Sykes was made.

#### CHAPTER IV

### *Tuttletown and Jackass Hill*

TO THE NORTHERN PART of Tuolumne County there clings a special reminiscence of romance because that section is associated with the earlier history of Bret Harte and Mark Twain—or Frank Harte (his name was Francis Brett Hart) and Sam Clemens, as they were familiarly known in the mining camps.

They were not simultaneously in the gold fields. Harte, although he was the younger of the two by a year, came to the Mother Lode in 1856. Nine years later, when Sam Clemens pocket-mined with the Gillis Brothers and Dick Stoker, Harte had finished his adventuring. He had left the gold fields and was in San Francisco. "M'liss," the first of his famous stories, had already been published, and only his inherent distaste for that sort of thing kept him from being a drawing-room lion. Mark Twain, on the other hand, had proved an indifferent reporter on the *Morning Call*, where neither his talents nor his laziness was appreciated. He was glad enough to accept Steve Gillis' invitation to join the latter's two brothers on Jackass Hill and try

his luck in the gold fields, even though the bars and streams had been pretty well exhausted of surface gold.

Harte's plot material was largely "in the bag." Clemens had yet to hear of *The Jumping Frog*. And, though he stayed only a few months and wrote comparatively little of the *Mother Lode*, Clemens is the better remembered—in Tuolumne County at least.

At any rate, Bret Harte came first to the mines. His biographers are vague and contradictory. A biographical sketch accompanying his complete works declares he was born in 1839 and came to California in 1856. Another asserts that he reached San Francisco in 1854 and was twenty when he left for the mines two years later. You can take your choice, but it is undoubtedly true that he reached the gold camps soon after the middle fifties, still under age, and had his fling at mining.

Harte was not built for such work. He was by no means a weakling, but only the hardiest and toughest "hombres" could survive the long hours of back-breaking toil, the coarse unbalanced rations, the hardships and exposures which were the gold miners' daily routine. A man like Bret Harte was wasted in that occupation, and he probably had the good sense to realize it almost at once.

That he could "take it," however, was shown in a multitude of ways. It required high courage to be a "shotgun messenger" for Wells-Fargo's Express, to ride on the driver's seat of stages that raced along narrow, precipitous mountain roads, behind six half-broken horses, that had to "swim" swollen streams where the horses could find no foothold, that were constantly being held up by highwaymen as desperate and murderous as Joaquin Murieta and his band.

His predecessor was shot by a "road agent." His successor was killed outright. That Harte escaped without injury was his own good luck, but it did not lessen his bravery. His first route was from Humboldt Bay east to Trinity County and northward to Del Norte, one of the wildest and most mountainous regions in the state.

But what stands out in Bret Harte's mining-camp history is not bravery alone. Most of the men, large or small, in those days were brave—but Harte had an understanding friendliness which invited confidences from men, women, and children. Miners were not a loquacious lot. To be inquisitive was to court disaster among men who had left their past life—including their true names, not infrequently—behind.

They seemed to like Bret Harte and trusted him; they told him their troubles and their hopes. He

learned much by actual disclosure of the people he rode with or met in the camps, and he guessed even more by that divination which is the true writer's special gift. Many of his characters have been called fantastic, but the plain, unvarnished records of places in which he lived during the later fifties are fantastic enough, heaven knows!

He learned about children, too, as a schoolmaster. He taught school for a brief period on the Mother Lode. Just where, is a debatable question. His biographies do not state. Report says he was a schoolmaster and clerk in Tuttletown. But the oldest inhabitants of that almost vanished settlement do not remember hearing of him in either capacity.

His knowledge of locations and backgrounds, as manifested in his stories, indicates that his stamping grounds were from Plumas County on the north to Mariposa County on the south. They include Yuba, Nevada, El Dorado, Amador, Calaveras, and Tuolumne counties and two camps called Red Dog, one in Nevada County and another in Amador County.

School districts were unstable during the fifties. Harte tells of one where the removal of two families cut the available revenues to such an extent that the school had to be closed. Perhaps this was in Tuolumne County, for some such event took place there. But

then it must have happened in many another district as well. The young schoolmaster is pictured as disconsolately wondering what next he shall turn to for a livelihood—sadly watching for the last time the homeward departure of his pupils and clutching a huge hunk of gingerbread, bestowed on him by one of the boys as a parting gift. One sees through his eyes the little schoolhouse, usually on a hill, often without glass in the windows—as a rule, in fact. Glass was not easy to get in the fifties. It had to come “round the Horn.”

Squirrels nested under the loose boards of the broken floor and yellow birds flew in and out the window openings. Once he found coiled on the threshold “a small but sociable rattlesnake.”

It must have been after his teaching—en route to San Francisco—that he stumbled into the Gillis cabin, drenched to the skin, one stormy night. The hospitable Jim gave him a night’s shelter, dry clothes, and a twenty-dollar gold piece to tide him on his way.

As a schoolmaster Harte would know the mothers of his pupils. He would “board ’round” and become intimately acquainted with their home life. He would meet the minister and selectmen, the older brothers and sisters. There would be dances in the Odd Fellows’ Hall and festivals in the church. He made friends with a mission padre and learned from him much of the



background of his early California tales—romantic stories of a time “before the gringo came.”

After his mining, express-riding and school-teaching days, Bret Harte became a printer. In a camp called Union, 300 miles north of San Francisco, he learned to set type—though he first learned to clean it, of course—and to feed the old Washington press of *The Northern Californian*. Later he became printers’ devil, compositor, and assistant editor of that paper and almost caused the plant to be wrecked during the editor’s temporary absence by a fearless editorial. He loved justice and fair play. When a band of white ruffians attacked and killed sixty Indians without provocation on Gunther Island, near Eureka, Harte expressed himself vehemently in type.

Indian baiting and killing were not new in that part of the country. But Harte’s editorial was perhaps the first and certainly the sharpest protest against wanton persecution of aborigines. Soon after the paper containing it had circulated, Harte found a mob at the door of his newspaper plant threatening vengeance. He slammed the door in its collective face and appeared at an upper window with two ancient pistols—unloaded weapons, it is said. “I’ll shoot the first man who attempts an entrance,” he cried.

No one, apparently, was eager for martyrdom. He

held off the crowd until reinforcements were summoned by an assistant who escaped by a rear exit and rode to a near-by army post. A troop of calvalry dispersed the rioters. But the incident ended Harte's career in Eureka. Soon afterward he departed therefrom and was later heard of as a druggist's assistant in San Francisco.

Jim Gillis is said to have inspired the character of "Truthful James," into whose mouth, along with other homespun philosophies, Harte put the famous statement:

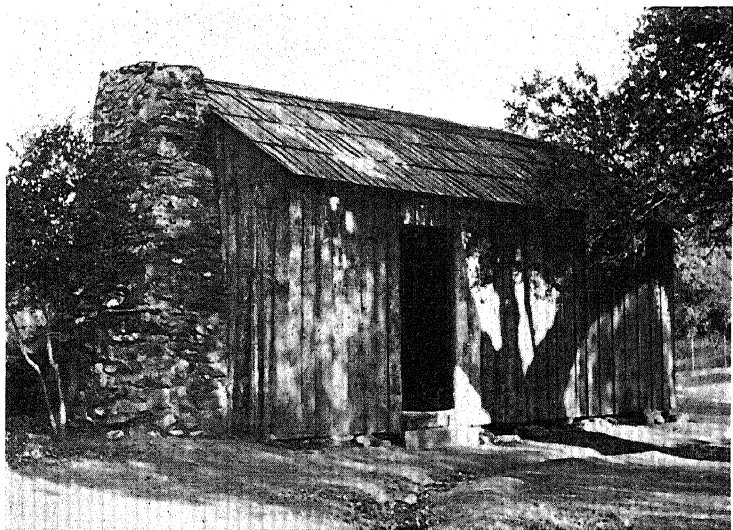
"For ways that are dark and tricks that are vain  
The Heathen Chinees is peculiar."

But Bill Gillis declares that J. W. E. (Alphabetical) Townsend, whom Harte met later in San Francisco, was the real "Truthful James" and not his brother. Townsend was a former editor of *The Inyo County Home Index*, and at the time of his meeting with Harte was connected with the San Francisco *Morning Call*. Both he and James Gillis were noted romancers, able to improvise the wildest and longest yarns on any subject at a moment's notice. It might easily have been either one of them, but it is probable that Harte had more opportunities of listening to Townsend than to Gillis.

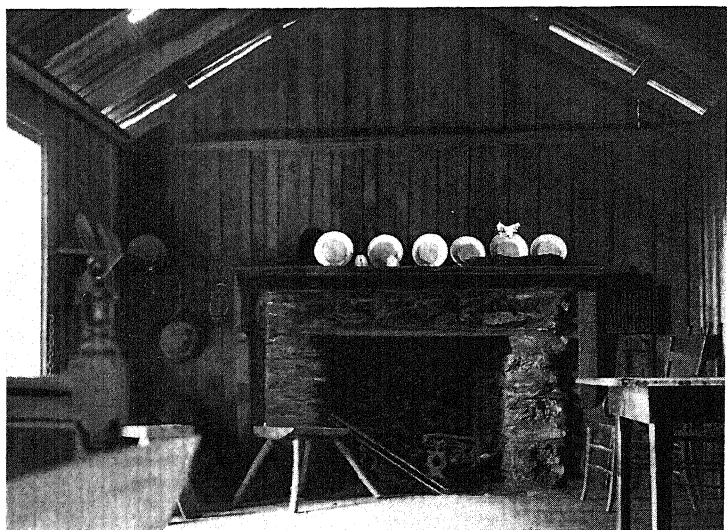
The character of "Tennessee's Partner" is better



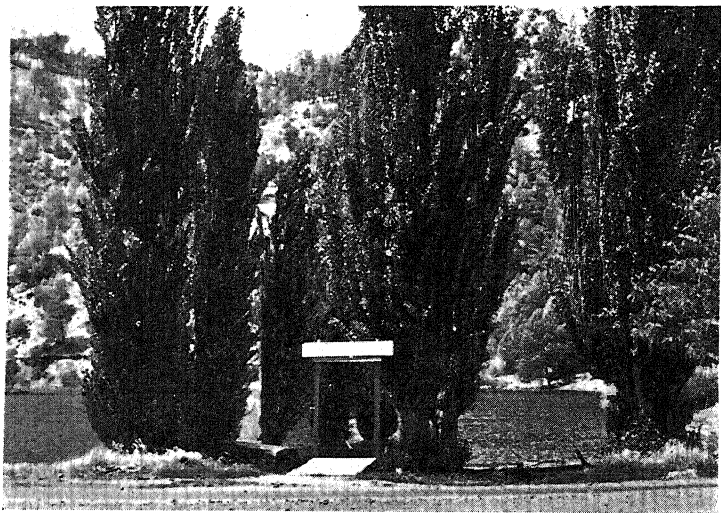
*"Mark Twain Cabin," on Jackass Hill, before it was burned*



*Restored "Mark Twain Cabin," similar in design, near original site*



*Interior restored "Mark Twain Cabin," on Jackass Hill*



*Site of old Robinson's Ferry, once called Slumgullion,  
now known as Melones*

established. He is generally believed to have been J. N. Chaffee, who lived for many years with J. P. Chamberlin in a little house, still standing, near Groveland. The two men were devoted friends and companions most of their lives. They came to California on the same ship, landing in San Francisco in 1849, and, like many another pair, struck up a partnership which proved enduring and true. Both were kindly and humane to a remarkable degree. They once pledged their savings of years to save a friendless gambler from being hanged, offering to make restitution for a sum he was charged with having stolen. On this incident is based that portion of Bret Harte's tale dealing with "Tennessee's" worthless friend. It seems to have no other foundation, for Chaffee and Chamberlin were equally upright citizens. Chaffee cooked and gardened while Chamberlin mined, and they shared the proceeds of their labors. When Chaffee was taken ill and removed to a sanitarium, where he presently died, Chamberlin did not long survive him. He was found dead in his cabin. He had ended his loneliness with a bullet.

In Sacramento, Harte met a pompous politician who became known to his readers as "Colonel Starbottle," and who is said to have been Judge David Terry, though there is little similarity between them. "Starbottle" was a naïvely amusing braggart, while Terry,

though a bully and swaggerer, was nevertheless a brave and determined man. "Jack Hamlin," however, is said to be very like a certain gambler widely known and secretly respected along the Mother Lode.

In the Gillis cabin on Jackass Hill, Sam Clemens (he was not yet known as "Mark Twain") lived for a time with Billy Gillis and Dick Stoker, not to mention "Tom Quartz," the cat. The cabin, it appears, belonged to Bill Gillis. Jim stayed with "The Carrington's," near by. But they seem to have spent their evenings together, these four men. Jim Gillis, who was a true Munchausen, unfolded marvelous tales, smoking his old corncob pipe and waving his hands in eloquent gestures, while the others for the most part listened. He usually included Stoker in these romances, much to the latter's amazement. And Sam Clemens took it all in with the appreciation of a writer who knows plot material. Many of Gillis' yarns he merely "salted down" in his retentive memory. Of others he made notes. He always insisted that he could never make them read as well as they sounded when Jim—"damn his hide!"—used to spin them. In "A Tramp Abroad" one finds "Dick Baker" (Stoker) and his cat. And in many other tales by Twain there is the echo of his nights on Jackass Hill.

That Sam, as everybody called him on the Mother Lode, wrote some of them in the Gillis cabin is a fairly substantiated legend. Bill Gillis asserts that he used to read aloud to them parts of "The Jumping Frog." He intimates that it became rather tiresome. No one at the time seems to have taken Sam seriously, either as a writer or a humorist, and Gillis definitely states that he could not endure a joke at his own expense.

It is my conclusion that he did not finish "Jim Smiley and His Jumping Frog," as it was originally entitled, until after he returned to San Francisco. Apparently he licked it into printable form there, after Bret Harte and Artemus Ward advised him to do so.

He did not get *that* story from Jim Gillis. It was told to a crowd of which he was one in the old Tryon Tavern, which later became the Angel's Camp Hotel. The narrator was a talkative bartender who had once been a pilot on the Illinois River and therefore took an especial "shine" to Sam. Clemens was almost the only one with patience enough to listen to Ben (or Ross) Coons' pointless yarns and jokes. Even he could not always follow them.

But he did give heed to the story of a man named Coleman and his jumping frog—which a "slick stranger" had dosed with shot to make him heavy before a leaping contest. It was an old story in Mother

Lode saloons. It had even appeared in print. But Sam did not know this. He made notes of the tale and afterward wrote it without the least expectation that it would pave his way to international renown. Incidentally, his penchant for listening to Coons' stories is said to have cost him a share in a \$20,000 gold discovery.

It was Steve Gillis's mischance with a San Francisco bartender that brought Sam to the Mother Lode in the first place. Steve was the eldest of the Gillis brothers and had worked with Sam on *The Territorial Enterprise*. In San Francisco, where they roomed together, Steve one day observed a large man beating up a small one. He intruded himself upon the fray and effected the small man's release, whereupon the larger one drew a weapon and Steve, in self-defense, let him have a beer pitcher on the head. It laid him out "cold," but friends called the police and Steve was arrested. Sam Clemens went his bail to the tune of \$500, and both of them left town. Steve went back to Nevada. He advised Sam to visit Jim and Bill at Jackass Hill. "You can learn how to mine and get some ideas for writing," he said, and Sam took his advice.

He helped Bill Gillis and Jim Stoker work a pocket-mining prospect. He was not much of a miner and it did not seem much of a prospect. But in his partners'



mind lay the conviction that if he had not heard old Ben Coons' story about Mr. Coleman's frog Sam would have carried another bucket of water and he and Jim Gillis would not have lost their claim.

Sam, it appears, never did think much of the claim. It was his task to carry water from the stream up a slippery bank to the point where Gillis panned the dirt from their prospect. Sometimes Stoker helped him, but more often not. It had been raining in that cold, insistent manner which chills the marrow of your bones, and Sam Clemens had large bones, uncushioned by much flesh. He shivered and groaned and complained with each bucket, threatening that it would be his last. Finally it was. He refused to listen either to cajolery or threats. He wanted to get warm; to sit near the hotel stove in Angel's Camp and listen to more of Ben Coons' blather, as Gillis openly accused him. When it became evident that he would carry no more water, Gillis let the last pan stand and posted a claim notice beside it.

They trudged through the mud to Angel's Camp, and there they stayed while it rained and rained—hard enough to wash the dirt out of Gillis's abandoned gold-pan and reveal the long-sought nuggets it contained. When they returned to Jackass Hill, they found their claim preempted by a couple of Austrian miners. They

had found the nuggets and waited patiently till the claim option expired. Then they pitched in and took the gold—about \$20,000 worth.

Gillis and Stoker laid the blame for their loss, respectively, to Ben Coons and Sam's laziness. "If it hadn't been for wanting to hear more yarns, he might have carried on," asserted Jim.

"And if he hadn't been so gol-darned, eternally lazy, he'd have done it anyhow," said Dick.

What would have been the result if Mark Twain—as tired of poverty as any man could be—had reaped his share of the golden harvest? Would he have remained a miner? It isn't likely, but it's possible, say his friends.

He went back to San Francisco in response to a call from Steve Gillis. He reverted to journalism. He finished "Jim Smiley and His Jumping Frog," which *The Saturday Press* of New York published in 1865. Later he took a trip to "The Sandwich Islands," as they were then called, on the proverbial "shoestring," met the chiefs and nabobs of that archipelago and returned to demonstrate, much to his own surprise, that he possessed the makings of a successful lecturer. Mark Twain and the Gillises remained friends for life. The old Gillis cabin was destroyed by fire, but another cabin of similar design was built on the old site on Jackass Hill. Until a comparatively few years ago Bill Gillis

lived there. He delighted in his old age to talk of his friend Sam, whom he firmly believed to have been one of the finest and laziest men that God ever made. Up to the last he was good for a mighty yarn, as mighty as any listener would swallow. But now he, too, is gone and the old cabin stands as a sort of shrine, looking down on what was Tuttletown. The old stone store built by Judge Tuttle is on the flat below, a deserted, iron-shuttered ghost of long ago. Jackass Gulch is not far off. It was named for a lost jack, the search for which resulted in a rich gold find. It has nothing to do with Jackass Hill, where a bronze plaque informs auto tourists that prospectors used to park their pack animals overnight, sometimes to the number of several hundred. Near the Mark Twain (really the Gillis) cabin some facetious settler has labeled his shack "The Mark Time Cabin." He says the tourists bring him books to autograph, but you can believe it or not.

Tuttletown was once the trading center for superlatively rich diggings, but they did not last long. Judge Tuttle's store, the first substantial building in the place, did a thriving business and grub-staked many a prospector. It was a matter of superstitious belief, to which facts gave many a corroborative twist, that "niggers, sailors, and Dutchmen"—the latter term usually applied to Germans—were the luckiest prospectors. Nig-

ger Hill is the monument to one Ethiopian's invincible fortune. He was an ex-slave and knew nothing of mining, so the legend runs. But he was lucky. He found prospect after prospect, and as fast as he did a white man, who had probably been watching him, appeared and threatened him with a revolver. "What do you mean by digging on my claim, you black scoundrel?" the white would say, and Nigger Joe, with the most abject apologies for his unintentional trespass, would give over. It got to be a joke around the camps and the darky a bit of a pest, as one whom we have wronged may become. So they decided to get rid of him. They pointed out a bald knob some distance away. It was considered absolutely destitute of gold. "Go and dig up there," they told him.

He thanked them. "Is you sho' none ob you gentlemen got a claim up dah?" he asked. They assured him laughingly that no one had. "Den—what I finds am mine, sho 'nuf?" he questioned. "Every ounce of it. We'll swar to that," they told him.

So Nigger Joe went up on the hill with his pick, his shovel, and his pan. They roared with merriment. When he came down the following day with a pocket full of nuggets they didn't think it was so funny. But they kept their word. And Nigger Joe grew rich. What became of him nobody knows. Another negro who

cleaned up on his strike near Tuttletown met with a tragic fate. He had several thousand dollars' worth of gold-dust, and when he went to Stockton with it he was an important person. He glowed with his new prestige. He wanted to "set 'em up" for everybody. And everybody was willing enough. At the end of three days he woke up penniless. He was nothing but an "ornery nigger" again. The people he had treated wouldn't even look at him. The poor fellow couldn't stand it. The one thing that remained of his fortune was a razor. With it he cut his throat.

Jim Crow, a Kanaka, was widely known throughout the Mother Lode. He accompanied Major Downie from Tuttletown to Downieville and was given money to buy provisions. He gambled the money away and never returned. But Downie encountered him some months later leading a large party to some promised El Dorado. People believed in his luck to such an extent that they forebore to punish him for his rascalities. He located the rich gold deposits in Jim Crow Canyon.

Captain Ross, believed to be the son of the great Hawaiian chief, Kamehameha, was a gold-seeker in and about Tuttletown during the fifties. He had a large following of Pacific Islanders and luck was with him, too, for he located Kanaka Creek, where nuggets, some of which weighed thirty pounds, were unearthed.

Just above the forks of Kanaka Creek an old ship's carpenter, nicknamed "Chips," because of his calling, discovered an outcropping of blue gravel which led eventually to the famous Blue Lead Vein. It was an ancient river-bed deposit of extraordinary richness, and it proved the doom of its luckless discoverer. His partners, realizing the value of Chips' find, tried to buy him out. When he refused to sell they hit upon the Machiavellian device of presenting Chips with a barrel of "rot-gut" whiskey. This temptation the sailor could not resist, and, like the old peasant in one of deMaupassant's tales, he obligingly drank himself into delirium tremens and death.

Murderer's Bar got its name through the vengeance of a band of Indians upon a party of Oregonians who came to the American River hunting gold in 1849. The Oregonians encountered the Indians, who were friendly enough until one of the whites took undue liberties with a young and rather good-looking squaw. In the ensuing quarrel several Indians were shot and killed. The Oregonians moved on to a sandbar, where some of the party camped while others went farther on to hunt for game. When the hunting party returned they found the five companions they had left behind tomahawked and scalped. The Indians had followed and avenged the death of their comrades. It was this incident which pre-

precipitated the El Dorado Indian war and made the region unsafe for the "paleface" until it was finally adjusted. "Adjustment" in those days usually meant the extermination of a tribe. The California Indians were in the main friendly. They were composed, throughout the mining regions, of small nomadic bands. Many of these were wiped out—almost invariably as a result of quarrels started by the white men. They paid vicariously for the vicious attacks of Sioux, Apaches, and other hostiles on wagon trains crossing the plains.

One of the noted crimes of Tuolumne County during the gold days was the murder of County Treasurer Heslep. He was found hacked to death in his office. The body was still warm. Perhaps because he was an unusually popular and efficient public servant, his killing caused great excitement. Bonfires blazing in the streets summoned everyone for miles around and the best means for the detection of his murderer were discussed. It was the sheriff, acting on a "hunch" rather than any real evidence, who solved the mystery.

While E. C. Griffith was testifying as to the last time he had seen his "friend" Heslep alive, the sheriff searched Griffith's quarters. He found there, poked under the bed, a valise containing blood-stained garments and \$6000 in money. He made a dramatic entrance with the evidence while Griffith was still testifying. As soon

as he caught sight of his valise in the officer's hands, Griffith confessed his guilt. He told a strange story of calling on Heslep with no other intent than to request a loan. This the treasurer refused, and Griffith laid his hand on a bag of coin, saying "You might let me have some of this." Griffith said it jokingly, he claimed, but Heslep, evidently alarmed, struck him heavily on the chest. Infuriated beyond control by this treatment, Griffith seized an ax which stood against the wall near by and dealt his assailant several blows. When he realized that he had killed Heslep he was panic-stricken. He took the money, to make it seem that robbery was a motive for the crime, and fled.

He was tried and sentenced to be hanged by a self-constituted tribunal gathered about the open fire. They tied him to a tree and with the first light of morning strung him up to the branches above.

Another crime soon afterward marked an extraordinary change of front in Senator J. W. Coffroth, who had previously defended a man from a lynching mob. On the second occasion he *demandèd* the lynching of John S. Barclay, who was safely confined in jail. Barclay had married a prostitute and later had shot to death John H. Smith in a quarrel over the woman, who claimed Smith had insulted her. It involved fine points of morality. Marrying a woman of the town was a tac-



tical error, openly discountenanced, but often secretly admired, especially if she were "a fine looking piece." Shooting a man because he had insulted a woman was a virtue rather than a crime, particularly if her husband fired the shot. But any kind of homicide because of a harlot, or even an ex-harlot, was a heinous offense against public opinion and the law. It was as logical as many of our moral tenets, and it served, under the lash of Coffroth's eloquence, to assemble a throng which broke Barclay out of prison. They carried him to the high flume of the Tuolumne Water Company for trial before a hastily appointed judge and jury. Senator Coffroth was the prosecutor and Assemblyman Oxley was attorney for the prisoner. After a spirited debate the defendant was convicted and sentenced to hang. At the eleventh hour the sheriff arrived and demanded his prisoner. But the crowd's only answer was to pull on the rope which was already about Barclay's neck.

And now occurred the strangest, most revolting phase of the affair. In their haste to string him up before the sheriff came, Barclay's executioners had neglected to tie his hands or arms. As he was pulled off the ground he reached up and caught the rope, relieving the tension about his throat and shrieking pleas for mercy mingled with vituperation at the crowd. Even then no one attempted to restrain his hands. Instead he was jerked

and dropped alternately in an effort to break his hold. But he continued for a long time to clutch the rope and fill the air with his cries. Many of the lynchers, sickened by this ghastly spectacle, turned from it and departed. But those who held the rope repeated their jerking and sudden releasing until the poor wretch, finally exhausted, relaxed his clutch. He strangled slowly, twitching and kicking for many minutes. Finally a physician pronounced him dead.

The cook of a tavern who had murdered his employer was exposed in a curious fashion. He had engaged a man to fell a tree, and the latter, when about to begin operations, discovered that the ax handed him was bloody. He reported the circumstances and further investigations were made. A man to whom the cook had sent a sum of money for safekeeping read of the tavern-keeper's disappearance and, suspecting foul play, notified the sheriff. The spot where the tree was intended to fall was dug and there the body of McDonald, the unfortunate man, was found. Needless to say, the cook did not live long after that.

In the sixties most of the placer claims on the streams and bars were exhausted. Tuolumne County was no exception, and Tuttletown was one of the first of the vanishing camps. Efforts were made to prolong placer mining by the diversion of streams. This was done by

building dams, a precarious expedient, for the autumn rains usually swept away the frail and unscientifically constructed barriers of the miners. In 1849, at Swett's Bar, seventy men worked a good claim behind a wing-dam. But it was swept out so often that most of them became discouraged and sought other fields. Twenty-seven stayed, however, and after many defeats built a dam that defied the freshets. They reaped at last a golden harvest.

After the Caucasians had gone, Chinese came and worked over the tailings. A few fared well, for the early miners were notoriously wasteful. Following the Chinese came Digger Indians, mostly squaws, with crowbars and tin pans—and some bucks to order them around. They made a few dollars “sniping.” But there was very little gold left by that time in the surface sands of Tuolumne County. Placer mining in a small way was finished and the hydraulics had not yet reached their peak. A sort of twilight settled down on the Bret Harte-Mark Twain country.

Tuttletown became a legend, Columbia a ghost town, and Sonora a thriving young city much frequented by moving picture companies on location. Gold mining was no longer a great lusty passion in the heart of mankind, but a mechanized industry.

But the characters of the old days are imperishable.

"The Heiress of Red Dog" still lives in Bret Harte's pages. "The Iliad of Sandy Bar" and "The Luck of Roaring Camp" are not likely to be forgotten. The tragic story of "The Bell-Ringer of Angel's" will continue to be literature, and "How Santa Claus Came to Simpson's Bar" remains the American variant of Dickens's "Christmas Carol."

One should not overlook Tuttletown nor Jackass Hill—and it is very easy if one does not look sharp—when touring the Mother Lode. Even an empty stage may be peopled with memorial fancies as extraordinary as these.



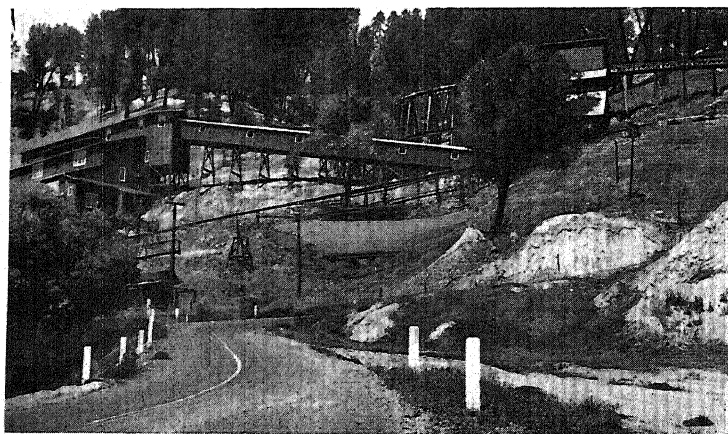
*Main Street of Angel's Camp. An important Gold Rush town*



*A sign in Angel's Camp which shocks some and amuses others*



*Camp at Carson Hill, showing machine shop, engine-room, sawmill, and supply warehouses*



*Mill, tramway, and ore bins of the Carson Hill Gold Mining Corporation*

## CHAPTER V

### *Angel's Camp and Carson Hill*

ANGEL'S CAMP owes its name neither to blasphemy nor sentimentality. It was called after Henry Angel, who, with Sergeant James H. Carson of Stevenson's Regiment, discovered Angel's Creek and Carson's Creek in August, 1848. These discoveries, both leading to rich finds, were a direct result of Captain Weber's earlier explorations of the Stanislaus River and contiguous territory. Angel and Carson were pioneers of the region known as the Southern Mines and among the first to seek gold on the Mother Lode.

Angel's Camp was a settlement established on the creek of the same name. It proved to be one of the richest locations in the gold fields. In one spot, two hundred feet square, the Winter brothers washed out \$9000 worth of gold in common sluices, and later, by sinking a shaft, discovered limestone mixed with sulphurettes and much gold yielding from \$150 to \$200 per ton.

Some of the specimens unearthed in Angel's Creek were so rich that a piece of quartz sent to London for assay was rated at \$35,000 per ton. Whether or not this

value was correct, the report caused such excitement that much of the quartz found near Angel's Camp for a time was treasured as though it were precious stone. These specimens—worthless for the most part—are still to be found in amateur mineral collections throughout the United States.

For a number of years the fortunes of Angel's Camp rose and fell like the waves of the sea. Though the placers on Angel's Creek were extraordinarily rich in gold, they were not deep, and the camp after a time found itself largely dependent on sources of prosperity extraneous to itself. Only a few miles to the south lay Carson Hill, with its mines of unparalleled richness, and Melones, the Slumgullion of Bret Harte's tales, with the largest, most turbulent population on the Mother Lode. Farther to the north were Mokelumne Hill and the ten-mile treasure-strip from Jackson to Plymouth.

Past Angel's Camp, therefore, streamed stages, freight wagons, hundreds of horsemen and pedestrians daily. Angel's Camp had a good hotel—one of the best on the Mother Lode. It is still there, incidentally—rebuilt, a trifle modernized, and full of memories.

Its location made it a stopping place for the night. Many distinguishd travelers on the old stages slept in its beds. In its barroom the booted, red-shirted sons of



golden fortune for many miles around roistered the nights away.

For a time—between the exhaustion of its placers and the establishment of quartz mining on a profitable basis—Angel's Camp was a way station. Often its floating population was larger than the resident one. But it was always a place of renown and importance along the Mother Lode.

The Australian gold excitement and a resultant exodus to the new fields overseas affected Angel's Camp more than other mining communities. It came at a psychological moment—just as the gold deposits along Angel's Creek were petering out. It lured thousands away from the California mines.

Eventually most of them returned. They didn't like the climate of Australia and New South Wales. They didn't like working beside the convict colonists of Van Diemen's Land, nor the low wages. The big strikes at Victoria—the famous Mount Alexander region—couldn't keep them abroad. Not even the finds at Forest Creek, Friar's Creek, Ballarat, and Bendigo. They drifted back—to the Mother Lode in general, to Angel's Camp, from which so many had gone, in particular. After that it was not healthy to mention gold strikes "in foreign parts."

James W. Marshall used to say that he had started

not only the Californian Gold Rush but the Australian Stampede as well. The latter, he declared, was the result of his attempt to get rid of an Englishman who bored him. Hargreaves was his name, and he used to frequent Coloma, full of complaints about his bad luck, California, and "the bloody foreigners." Finally Marshall said, exasperatedly, "Why don't you go back to Australia and find gold there?"

"Oh, I s'y!" cried Hargreaves, "d'ye rully think I could?" Marshall answered that he was convinced of it, and Hargreaves took him seriously. He went back and panned the Australian streams. England and its colonies profited many millions of pounds. They gave Hargreaves £15,000, or approximately \$75,000, as a bonus for his discoveries. At first Marshall laughed about this. Later he resented it and tried to get a bonus from Congress. But he did not succeed.

Angel's Camp's two outstanding exploits were concerned with "The Jumping Frog of Calaveras" and "The Pliocene Skull." Ben Coons, bartender of Tryon's Hotel, *raconteur* and practical joker, is definitely known to be responsible for the first and was vaguely suspected of having a hand in the latter.

The story of "The Jumping Frog" required neither mental effort nor acumen on Coons' part. He was merely repeating an old tale, worn threadbare in

Mother Lode saloons, about a man named Coleman, who was forever betting on his leaping batrachian—and did it once too often. It was because Mark Twain heard and wrote the tale that Angel's Camp shared in the glory of its published popularity. But "The Pliocene Skull," unearthed at Altaville and brought to Angel's Camp, was a very different matter—an ingenious hoax which threatened to reverse ethnological conclusions.

It was an anthropological epic, or at least so it seemed—a bit of staggering evidence that upset all previous theories. It was exhumed by miners, full of the dirt of ages. The body was missing—which seemed a trifle odd—but there it was, a skull in a pliocene strata; a different sort of skull from other tertiary skulls—a slap in the face of standardized evolution.

They stewed over it a long time, the grave and learned professors. Nobody suspected it of being a plant until Doctor Kelly missed the old skeleton head he used to have around his office. He put two and two together, and it added up as an attempt to discredit State Geologist Doctor J. D. Whitney. In this it failed, though it made many a learned man look foolish. Science heaved a sigh of relief and forgot. But not before Angel's Camp had become as renowned as Loch Fess. Ben Coons kept a straight face. Nobody ever proved his connection with it. Yet, though it was a

much better story than the frog yarn, and an original one at that, Coons did not add it to his repertoire—which may or may not be evidence.

The good doctor who owned the skull found doctoring profitable. He got a dollar a drop for laudanum and fifteen dollars for seidlitz powders—the same powders which miners sometimes used, with their magnificent disregard for both gold-dust and chemistry, to raise their bread-dough when the saleratus ran out. But other things brought high prices, too. Shovels cost a hundred dollars at their peak, and butcher-knives (used for digging) were quoted at thirty dollars. A jar of raisins is said to have brought its weight in gold, or \$4000, and up to 1853 California imported 6000 tons of hard bread from New York annually, at almost prohibitive transportation rates. It was something like hard-tack and a great delicacy in the mines.

But prices fell in the later fifties. In Sacramento—which was the metropolis of the mines, though thirty miles removed from the nearest Mother Lode camp—one could buy a drink for as little as fifteen cents. And in Angel's Camp one could hire miners as low as five dollars per day.

The Bovee claim was the first to be equipped with a stamp-mill—ten stamps. For a time it was like all the early quartz propositions. It didn't pay. But by and by

the rock mining proved itself. By 1867 the Bovee mine was a good proposition. In ten months it turned out \$50,000 worth of gold. Expenses were unusually heavy during that period, yet nearly half of the return was profit.

In 1868 Angel's Camp had a population of 600, which was more than many of the "hell-roaring camps" of the later fifties could boast, though their peak populations had once been well up in the thousands. Citizens decided that it was no longer a "camp," and it was henceforth known to them as Angel's. Therefore the tourist is delighted by such signs as "Angel's Beer Hall," "Angel's Hotel," etc. Probably in the old days there was an "Angel's Fandango."

Low-grade ores had come into their own. Propositions as small as six to ten dollars a ton were worth working. In 1870 there were five mines equipped with stamp-mills reducing gold ore in and around Angel's. Agriculture was in the ascendant. There is a legend to the effect that the first melon-grower in that region made \$20,000 on one crop and that a single melon, cut and sold by the pound, brought twelve dollars.

James G. Fair, that son of fickle Fortune, got his start at Angel's Camp—the stake which enabled him to "buy in" on the Comstock Lode. And in Angel's Camp he met Theresa Rooney, laughing, red-haired

waitress in her parents' boarding-house. Tessie was no common wench. She had been educated at Mount St. Vincent's Academy, New York, before "slinging hash" on the Mother Lode. She liked "Jamie" Fair, well schooled like herself and upstanding. She gave him her eyes and the best cuts of meat. In 1862 they were married.

Love ran anything but smoothly for them the first few years. Tessie, according to legend, took in washing at Shaw's Flat to help Jamie balance the budget. Between them they struggled on. He worked the Utica Mine at Angel's and finally made a stake. Then the Comstock discovery came. Fair was excited about it. He wanted to put everything they had saved into it and Tessie said "All right." She was as game as he.

They talked it over with Jack Flood and Bill O'Brien, who owned a saloon in San Francisco—a saloon where the "big bugs" came, where one heard the latest, straightest news about the mines. Fair had met Jack and Bill years ago when they kept a store at Poor Man's Creek. They were willing to gamble on Comstock. So the three of them pooled their savings and took in John W. Mackay, another Irishman.

After that Tessie Fair didn't have to bother about budgets. The four partners made money faster than they could spend it. Fair was elected to the United

States Senate and built a mansion where the Fairmont Hotel now stands. Flood started a bank in San Francisco and tried to corner the wheat market. Mackay helped James Gordon Bennett lay transatlantic cables.

The Rooneys are still a tradition in Angel's Camp, as well as the long-legged Scotchman their daughter married. Nobody in those days believed he would amount to much.

Five miles below Angel's, the high, round knob called Carson's Hill lies like a giant skull trepanned with precious metal. Sergeant Carson paid it small attention when he located Carson Creek. The hills as a rule were poor prospects, so Carson stayed with the stream, which had very rich placers and attracted miners like flies. The camp was called Slumgullion, which means a muddy, red deposit in the sluices. Later on it became and still remains Melones. For a time it went by the name of Robinson's Ferry because one had to cross the murky, boiling Stanislaus, which divides two counties, at this point. It was, at the season of Slumgullion's first great glory, a dangerous stream to ford; men as well as horses not infrequently drowned in the attempt. So Jim Robinson rigged up a ferry with ropes and a barge. It was a bit precarious, but safe enough if not overloaded. To keep it from being jammed was Robinson's most difficult task during the

Slumgullion stampede. The whole world seemed to be bound for Carson's Creek. They thronged the southern shore of the Stanislaus six deep, and they all wanted to get on the ferry barge at once. Incredible as it sounds, Robinson's ferry paid, during the first six weeks of its operation, better than most of the rich placers thereabouts. Within that time he collected \$10,000 in fares. But the fever subsided. No rush lasted more than a few weeks. There were continual fresh finds and camps being emptied overnight, everybody rushing somewhere else—perhaps not half so good as the location deserted. Never was there a more restless, nomadic lot of men than the miners of the fifties.

Poor Carson, the discoverer of all this wealth, had a hectic and unhappy time of it. He made and spent several small fortunes. He contracted inflammatory rheumatism from working in the water and was reported dead. His estate was administered. But before his funds had been distributed Ben Kooster received a letter which for a long time was the talk of the Mother Lode. It was dated "Spirit Land" and signed "Jim Carson." It threatened to lick the man who started the report of his death and caused a great laugh to ring down the gulches.

Thus Carson came back from the "grave." The story made him so popular that the Whigs wanted to



run him for the Legislature. But he declined the nomination. He was a Democrat. During the following year the Democrats nominated him, and he was elected. But, before he could serve, his rheumatism returned with such severity that he succumbed to it. This time he stayed dead.

Two miners named Hance and Finnegan discovered a rich claim on top of Carson Hill. They, with six others, including Alf Morgan, had pooled their interests, so they claimed 1000 feet on one of the richest veins in gold-mining history—125 feet for each man. Finnegan, it is said, departed to buy machinery, and when he returned, about a year later, discovered that Hance had sold out their interest to Morgan. So he organized an invasion.

That is one story. Another is that the claim was merely named for Morgan—no one knows just why, since the discovery is generally credited to Hance.

However, after nine or ten months, during which the Morgan outfit cleaned up prodigiously, a young civil war developed along the Stanislaus River. Some say the natural cupidity of gold-hungry men started it. Stringers of gold were so heavy and pure in the vein that they were cut with cold chisels. A single blast dislodged rock worth \$110,000. No wonder men swarmed up the hill, disputing the claim to 1000 feet

as exorbitant and illegal. On the other hand, why did they accept the situation for nine months or more and then strike suddenly, unless it was the returning Finnegan who spurred them to the attack? At any rate, they drove off Morgan and his crowd after the courts had confirmed his title.

"To hell with the courts!" they said. They held a court of their own and decided that Morgan and his gang had had their pickings. It was some one else's turn now—their turn. So they gave Morgan & Co. an hour to "pack and git." They pledged themselves not to disturb the cabin in which Morgan and his partners had lived. It contained their worn mining tools, a few sticks of giant powder, and several woolen shirts. They kept their word. Morgan went forth into the world seeking sympathy and reinforcements. In Sonora he recruited fifty men. With them he marched forth to battle for Carson Hill. Most of them deserted before the Stanislaus was reached. But a small band, undaunted, carried on. They reached Carson Creek after dark and camped there. During the night a rifle was accidentally discharged. It alarmed the claim-jumpers on Carson Hill. Rumors of a great army ran round. Tents were struck, tracks for the level were made. By daylight Morgan Hill was deserted. Morgan and his few went up and repossessed their claim.

But, when the light of the sun came forth, scouts from the flat stole up to reconnoiter. They reported that Morgan had only a handful of men. So the claim-jumpers bravely returned to the fray. They outnumbered Morgan so greatly that a fight would have been folly. He hastily posted notices warning intruders off his property, left an "agent" in charge, and once more evacuated the hill.

The agent was "arrested" and kicked out. The claim-jumpers resumed operations. Among them was Billy Mulligan, "shoulder striker" and "plug-ugly" of many a San Francisco brawl; jailer of Casey and Cora, whom the Vigilantes hanged. They booted Mulligan out of San Francisco and after a time he appeared on the Mother Lode. Whether Finnegan employed him to lead his counter-claim against Morgan or whether the claim-jumping was his own idea is not clear. Hance seems to have vanished and some assert that Finnegan, trusted with funds to buy machinery, never returned.

Morgan, however, stayed in the picture. He stayed with his job, and finally the courts ousted Mulligan and the other intruders, establishing the Morgan claim to 1000 feet of the vein. Then Morgan, who had probably had enough of it, tried to sell. But he and his partners could not pull together. For a long time the mine was closed by litigation. Finally, James G. Fair acquired it.

From the top of Carson Hill one may look down one thousand feet on the dark waters of the Stanislaus. Its big mine produced more than two million dollars' worth of gold during the period of its greatest activity—1850 to 1858—while the Madame Martinez mine yielded in excess of a million during the same period. Altogether something like \$5,000,000 in yellow metal was garnered from Carson Hill in perhaps a decade of sporadic and turbulent operation.

Nor is it by any means exhausted. Though there have been many shut-downs and resumptions, changes of ownership and methods, the Carson Hill Mine is employing about 150 men at the present time and is still one of the best mines on the Mother Lode. Not long ago "picture rock," one of the richest types of quartz, was uncovered on a Carson Hill vein.

At San Andreas, about ten miles north of Carson Hill, Black Bart, one of the most celebrated of American highwaymen during the gold days, was tried, convicted, and sentenced to seven years' imprisonment. He was a typical Bret Harte character—handsome, soft spoken, well read, and courteous to womenfolk. There is no record of his having killed or injured anyone during twenty-eight successful stage robberies, covering a period of seven years. It is, in fact, asserted that he never carried a loaded gun, and this statement is given a cer-

tain credence by the curious incident which led to his undoing.

Black Bart had held up the Milton-Sonora stage at Copperopolis, not far from San Andreas.

Joe McConnell was on the box. He was a well-known driver, and to his care had been entrusted a Wells-Fargo Express box containing \$4100 in amalgam and \$550 in gold coin. It was not as large a shipment as many that went over the route, and for this reason, perhaps, no armed guard accompanied the driver. Even the coach was empty, which made it an ideal situation for highway robbery, because passengers, though mostly docile, had been known to complicate matters by taking a shot at a "road agent."

But, after Black Bart had ordered McConnell down from the boot, forced him to unhitch his horses and hand over the gold chest—at the point of a pistol, probably unloaded—the highwayman encountered one of those unforeseen contingencies which most criminals fear, a circumstance that led to his undoing.

Whistling as he trudged down the road came a bare-foot boy, a squirrel-gun over his shoulder. He was the son of an Italian storekeeper, and, needless to say, he was blissfully unconscious of the fact that he was about to intrude on a stage robbery.

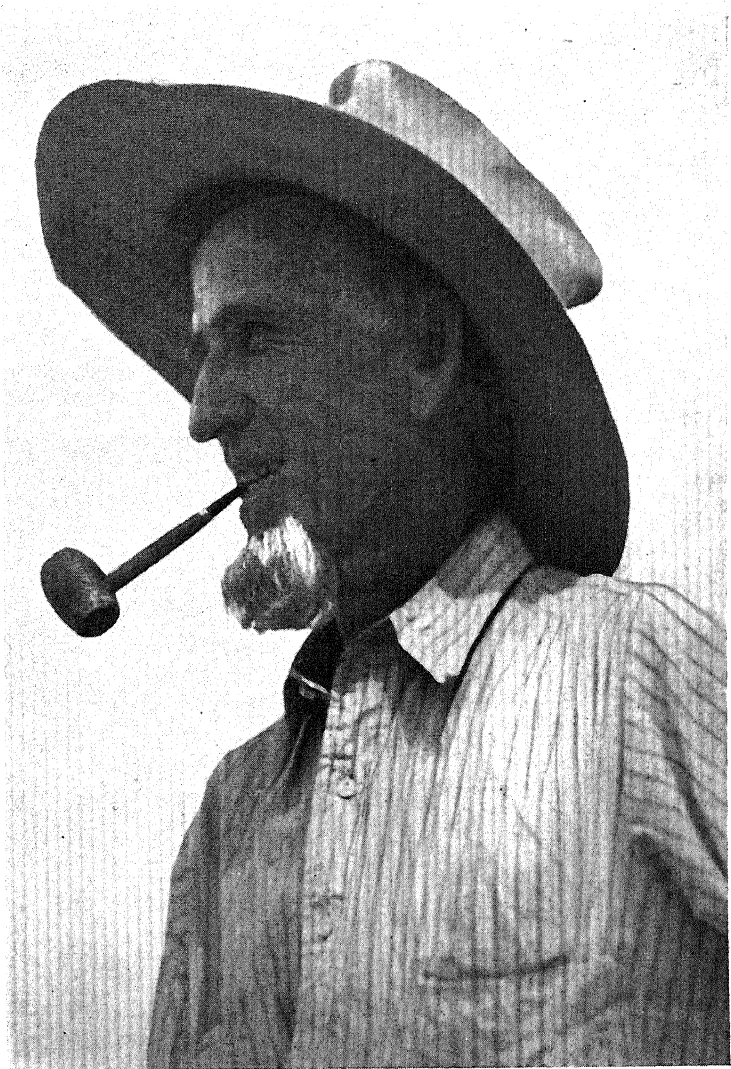
The point of what followed is this: If Black Bart's

gun had been loaded, he would almost certainly have commanded the lad to throw down his weapon, hold up his hands, and remain thus until he, Black Bart, had made his getaway. But apparently this robber, who had showed no previous sign of fear, was disconcerted by a youngster whose reaction he could not foretell. At any rate he fled, and McConnell, who grabbed the boy's gun, ran after him, shooting as he went.

Black Bart escaped. But he dropped a cuff. Such was his sartorial pride that he wore detachable white cuffs even when holding up stages—and the cuff was inscribed with a laundry mark. Not inappropriately, the mark read "F.O.X. 7." Through this he was ultimately traced in San Francisco, where he had lived unsuspected for many years as Charles E. Bolton, a mining man. His true name was Charles Boles, and as such he was tried and convicted in the San Andreas courthouse. He served his seven years, less one for excellent behavior, and disappeared from public view. It is rumored that Wells-Fargo & Co. made it worth his while to lead an honest life.

Once before, San Andreas thought it had captured Black Bart. And thereby hangs a rather amusing circumstance—though Milo Hoadly of San Francisco found it anything but funny.

He was stood up and robbed of a hundred-odd dol-



*Hank Brady, pioneer and sage of Columbia. He "doubles" for Uncle Sam*



*Old stage-driver's retreat, Columbia, crammed with relics of the Gold Rush*



*Old fire-engine house, Columbia, where buffalo-hide hose of early fifties is still intact*



lars close to San Andreas and reported the circumstance to the sheriff. He then returned to San Francisco and not long thereafter was summoned to appear against a suspect believed to be Black Bart.

The prisoner proved to be a small-time highwayman named Wright, but there was little doubt that he was the one who had robbed Mr. Hoadly. The latter identified him. He made three journeys, in fact, to testify, all at his own expense, and Mr. Wright was convicted. Hoadly naturally expected to recover some of the \$83 found on the prisoner, but he had no luck at all. At first they had to find and pay a defender for Wright, and then, strange to say, a prosecutor. They had to feed the defendant, and they had to buy him underclothes. It wasn't often that a highwayman became their guest. He was quite an attraction. People came from many miles around to witness the trial.

So Milo Hoadly's claim was overlooked in the excitement. He wrote a letter to the city fathers stating that they ought, at least, pay his expenses as a witness. But he failed to convince them. The prisoner's \$83 went into local pockets. Wright, himself, with his new set of underwear and, one presumes, a new suit of striped pattern, became for some years the guest of the state. Milo Hoadly returned to San Francisco a wiser and poorer man, determined thereafter, if robbed, to

say nothing about it. Justice, he decided, was too expensive a luxury.

We must not forget the duel between Lawyer William J. Gatewood and Doctor P. Goodwin, which, according to the San Andreas press, was conducted "with the most humane and honorable terms known to the code," despite the fact that Doctor Goodwin was shot in the abdomen with a rifle at forty yards and died in agony.

Some time previous to the 16th of September, 1859, Doctor Goodwin spoke harsh words to Lawyer Gatewood, and the latter promptly smote him on the nose. So Doctor Goodwin challenged the smiter.

It was a society affair. Besides the principals, seconds, surgeons, and friends of the contestants, five carriage-loads of San Andreas' *haut ton* got up before sunrise and journeyed to a flat near Torman's. There, after all preliminaries of the code duello were rigorously observed, the signal to fire was given. Doctor Goodwin's rifle hung fire and Lawyer Gatewood's spoke a death message. Gatewood bent over his fallen opponent and said gently, "Doctor, I am very sorry this affair has terminated so; very sorry indeed."

To this Doctor Goodwin, between set teeth, replied, "I am glad to know you acted like a gentleman."

There were many duels on the Mother Lode, but

none approaching this one in punctilio. As a rule, a man sent notice to his enemy that he would shoot him on sight. Sometimes he even overlooked this formality. They sought no special dueling grounds. They encountered on the street or in some saloon. It was then up to noncombatants to dodge.

Even hangings were social events in San Andreas. In the Chamber of Commerce one may see one of the invitations sent out by Sheriff Ben K. Thorne—neat and inconspicuous, with a conventional black border. They request “the honor of your presence” at the hanging of George W. Cox. San Andreas had its county gallows then, just outside of the old red-brick courthouse where Black Bart was tried. Sometimes a band played at hangings.

San Andreas was not always the county seat—not until 1863, when it won that honor away from Mokelumne Hill after a very intensive campaign. They voted steamship lists and everything but the names on the cemetery headstones. Mokelumne Hillers didn’t like it. They contested the election, and for three years the issue was in litigation. But in 1866 San Andreas won. It was like the Fourth of July. Cannons were fired, flags flew, and at nightfall a four-horse wagon, accompanied by most of the male citizens as outriders, drove to Mokelumne Hill and seized the records.

## CHAPTER VI

### *Mokelumne Hill*

MOKELUMNE HILL, popularly known as The Hill along the Mother Lode, was called Big Bar by its first settlers. They were Oregonians and arrived in October, 1848.

The first merchant was a man named Syrec, who, after much hesitation, invested his savings in a wagon loaded with provisions and supplies for the new camp. He had been persuaded, much against his will, to do this by other residents of Big Bar. They promised to buy all he could bring them, and so well did they keep the pledge that he had scarcely reached camp with his load before he was sold out. Moreover, his profits were sufficient to start him permanently in business. Post-haste he drove to Sacramento for another load, so heavy that he was several times mired on the return journey. Having placed advance orders for several more wagon-loads, he built and opened Big Bar's first store, which prospered exceedingly. Syrec grub-staked many an impoverished prospector, and, though he lost most of the merchandise thus provided, he "cashed in" on several lucky finds and was soon a rich man.

The food of miners in those days was simple, but only the fact that they labored prodigiously enabled them to digest it. That was before the days of canned goods. A portable larder included salt pork, beans, coffee, and flour. Men worked too hard and lived too intensely to pay much attention to food or be distressed by lack of variety. Getting gold was the sum and substance of life. Eating meant merely the stoking of a machine which enabled them to carry on. Sowbelly and beans were their viands, day in and day out, month after month—sometimes year after year, if they did not get to some larger town and if they managed to escape scurvy. Coffee, of course, reheated and reheated, the grounds changed only when they filled the pot. Flap-jacks or saleratus bread were the only variant. Sometimes the breadstuff of their severe limitations or gross ignorance of cookery was merely flour and water mixed with a pinch of salt and fried in a gold-pan, swimming in grease—usually the residue of a previous meal of sowbelly or salt pork. A more elegant bread was Australian damper. This was dough baked under a thick layer of hot ashes. It was heavy, soggy stuff, but it retained its moisture for several days, a fact which, for some reason, was considered an advantage.

The most incredible expedients were resorted to in mining camps and by prospectors. Seidlitz powders, of

which mining men usually carried a supply in their medicine chests, were employed to "raise" bread when the saleratus or bicarbonate of soda ran out. Coffee, which was invariably carried in the bean, was crushed between two stones, often in a bag which had previously contained gold-dust or tobacco, or both.

Green vegetables were almost unknown along the Mother Lode until the middle fifties. Then women came to the mining camps and planted kitchen gardens, which thrived none too well in the hard, rocky soil, with little water to nourish the roots.

Scurvy was a dreaded disease which sometimes laid low entire camps, and, in the absence of "greens" with which to combat it, potatoes were highly prized as a substitute. They brought fabulous prices and were as highly cherished as nuggets during the first years of the Gold Rush. Syrec, the trader, was lucky enough, on his third or fourth trip to market, to return with several bags of potatoes, and there is a legend that the large ones brought as much as a dollar apiece.

While the Oregonian discoverers of Mokelumne Hill were its "charter citizens," the camp, like many others on the Mother Lode, was settled by discharged soldiers of Stevenson's Regiment, those New York volunteers who played so active a part in California's early history. Some of them ended on the gallows and some attained

to high office in the state, but all of them seem to have been what we call today "go-getters." Certainly they went after the gold of the Mother Lode, and many of them found enough to make them rather outstanding figures in their day.

A goodly number of these robustious adventurers followed on the heels of Big Bar's pioneers and made it one of the liveliest camps in California. One of them gave the camp its present name in honor of the near-by river. Mokelumne is a word strange enough to warrant explanation. It is apparently a corruption of the Indian "Wa-kal-um-nee," which means river or stream. The Spaniards, with a rather tautological interpretation, called it Rio Moquelamos, meaning to them "River of the Moquelami Tribe." The accent is on the second syllable.

The Hill in 1850 was, perhaps, the most noted and certainly one of the richest of the Mother Lode camps. It narrowly escaped the title of French Hill because of seven Frenchmen who washed gold during its earliest days and made enough money to return to their native land and live in comfort the rest of their days. They spread such grand reports that a veritable horde of their countrymen hastened to the California gold fields—so many, indeed, that they tried to establish a French colony on a knoll above Mokelumne Hill's cosmopoli-

tan huddle of tents and shacks. There they floated the tricolor of France and forcibly repulsed all invaders.

Their find was a rich one and encroachments were attempted in the ordinary course of events. When the "Frenchies" rallied behind their banner and flourished weapons, the American prospectors retired for reinforcements. The French Hill garrison sent couriers far and wide and rallied a great number of their countrymen to their support. Mokelumne Hill assumed the appearance of an armed camp, and a battle with several hundred determined men on each side seemed imminent.

But it was avoided, possibly by the appearance on the American side of an imposing piece of ordnance which some enterprising miners had discovered, heaven knows where, and hauled into camp by man and burro power, fore and aft. It was an old Spanish cannon, valuable perhaps as a relic but quite useless for artillery purposes, even if there had been shot or shell in the American camp, which there was not.

Be that as it may, the proud tricolor which floated from the hilltop was hauled down soon after the appearance of this frightening engine of destruction, and an armistice was declared. All differences were finally ironed out by the red-shirted diplomats of Mokelumne Hill.



The Calaveras Guards, one of the first militia companies in the mining regions, saved Mokelumne Hill from another war which was afterward lampooned by a local theatrical group as "The Battle of Campo Seco, or the Fall of the Six Nations."

Campo Seco was on the Calaveras River, near Mokelumne Hill. It was a busy and profitable location where a large number of miners had washed gold amiably enough until some dispute stirred the ever-smouldering racial animosity of its cosmopolitan population. To do the outlanders justice, it was usually the American miners, with their arrogant intolerance of all "furriners," who started the trouble. But it must be said that they were always ready to finish what they began—sometimes a task requiring courage of no mean order, for they were often in the minority and had practically no government to fall back on.

Perhaps it was a realization of this fact that caused the organization of Mokelumne Hill's militia company, eighty strong, captained by Sheriff Clark and drilled most assiduously by Sergeant Pollock, an ex-soldier. They had bright new uniforms, rifles, side-arms, and a silk flag of considerable size, so they must have made a brave and imposing appearance when called on by a county judge to preserve order at Campo Seco.

That camp was agitated to the point of explosion. As in the case of the French Hill affair, each side had gathered unto itself large numbers of supporters. Earthworks had been thrown up and arms distributed. The battle was about to break, this time between forces that aggregated close to a thousand, made up of Americans on the one side and a coalition army of Italians, Mexicans, Chileans, and Peruvians on the other. But before the first shot could be fired a music of fife and drums smote the air, accompanying the tread of marching feet, and presently the Calaveras Guards in all their glory burst upon the scene, very much like the chorus in a comic opera. So brave and dramatic was their entrance that both sides involuntarily cheered and, forgetting their differences, rushed forth to bid them welcome.

It is plausible enough. The miners of that day were like children, ready to forget the most serious grievance for any form of entertainment. Perhaps the foreigners were a trifle awed by the semblance of power which a uniform represents, even as the Frenchmen had been by an antique cannon. But it is likely that they, like the Americans, were even more beguiled by the parade. At any rate, the battle of Campo Seco proved a bloodless one and another *casus belli* was forgotten.

Not long afterward, however, a second "civil war" broke out in Campo Seco. This was not a race dispute

nor strife of nations, but a difference of opinion concerning horse-stealing. A man named Hill was adjudged guilty by the crowd which made a demand on the sheriff for the custody of his prisoner. The sheriff, however, rallied around him a body of citizens who believed in legal procedure, and for a time there were speeches for and against the hanging of Mr. Hill. The prisoner participated in these debates, boldly admitting his propensity to make off with the property of others, but asserting with a loud show of virtue that he had never shed human blood—a statement which was cheered by the anti-lynchers. The oratory continued until it was discovered by some one that the sheriff had taken advantage of it to spirit away his prisoner in a carriage. He was presumably bound for Sonora, where the strongest jail on the Mother Lode was located.

With outraged yells the lynch-inclined populace of Campo Seco started in pursuit. An advance guard, mounted on fast horses, overtook the sheriff and frightened his horses, overturning the carriage. The sheriff shouted to his charge to run for it and endeavored to protect him from the mob. But he was overpowered, and the horsethief, whether he deserved it or no, was strung up in the nearest tree.

In contradistinction to this extralegal punishment was the case of Peter Nicholas, who, despite a harrow-

ing experience, got off with light punishment for an unprovoked and cowardly stabbing. To save him from the vengeance of a mob, the sheriff had chained Nicholas to a post, but the crowd drew the staples and passed the wretch—chains dangling from his wrists and ankles—over the heads of the mob, catching him by the hair or any convenient point of seizure. They were about to hang him to a pine tree when James W. Coffroth, a citizen of considerable prominence, pleaded for law and order. He seems to have been very eloquent, for he split the lynchers into two factions. While they were arguing, the sheriff arrived and, promising a fair trial, was permitted to recapture his prisoner. The man was tried and convicted. Judge Creaner sentenced him to death, but a soft-hearted governor commuted his sentence to seven years, which was further reduced by “good behavior.”

As a rather curious contrast to the above, Judge Creaner in 1852 sentenced Jose Corvallis to be hanged for stealing a horse, and the sentence was carried out, constituting one of the very few examples of legal execution for theft to be found in the records of American jurisprudence.

With popular tribunals, combinations of Mosaic law and poetic justice were the rule. A man who had shaved a horse's tail, for instance, had his head shaved. A law-

yer who objected to this sentence as unjustified by the law of the land was referred to the Bible and "The Law of Heaven."

Many disputes between miners resulted from nothing more than inability to speak the same language. At Mokelumne Hill is recorded the tragic instance of a German and a Frenchman who quarreled over a water privilege which might easily have been adjusted if they had spoken a common tongue. But they did not, and, no interpreter being available, they tried earnestly enough to adjust their differences by means of gestures. This went on for several days, but failed to make things clear between them. At last the German made a sign which the other understood. It was the pantomime of shooting it out. Both nodded and ran to their tents for weapons, but the Frenchman, being surer of aim or faster "on the trigger," shot and killed the German. When, too late, he learned that no real difference existed between them, he cried like a child and begged them to hang him, insisting that he had murdered his neighbor. But no one was willing to oblige the poor fellow by acting as his executioner. They gave the German a fine burial, at which his slayer was the chief mourner, and that was the end of the sad affair.

One of the executions at Mokelumne Hill which caused considerable comment but no open dispute,

strange to say, was that of a young man, little more than a boy, who had killed a man in a quarrel. He claimed that the man had insulted him and that, being a Southerner, it were better to die than to brook such treatment without avenging it. But the jury decided that there had been entirely too much killing and something would have to be done about it. One can scarcely blame them. For seventeen successive weeks there had been at least one killing between Saturday night and Sunday morning, the period of intensive carousal, and during one week five persons were killed. So, despite the fact that this particular young man had been an excellent citizen and had practiced what he considered a code of honor, he paid the price for his misdeed which so many escaped. As the noose was placed about his neck he said: "I'm sorry, gentlemen. But, if it happened again, I should do the same thing."

Many killings took place in the foreign settlement, usually called "Little Chili," which housed the South Americans, Kanakas, and South Sea Islanders. They were a gay, turbulent lot, singing, dancing, and drinking most of the night, despite their hard labor in the mines, and while drunk they flew into homicidal rages, especially if there were women present.

In the quarters where Americans congregated there were dances as well, queer affairs which, in the late for-

ties and earliest fifties, were mostly stag functions. The women of Anglo-Saxon races did not come to the mining camps, save for rare exceptions, until the middle fifties. It was a man's country. They had a strange hunger for beauty and a deep hidden tenderness, these rough fellows, lawless and uncouth, ready to shoot "at the drop of the hat." They loved flowers, bright raiment, and vivid colors. Many of them wore jewelry. Most of them had pets—bears, birds, cats, or dogs, sometimes tamed foxes or coyotes.

At the camp dances men hopped and bounded over rough board floors to music that would set modern teeth on edge. Those who posed as ladies in the dance were distinguished by white strings or cloths attached to one trouser leg. But there was nothing effeminate about any of them. They were all male. Their sex isolation produced no perversions, Freud to the contrary notwithstanding. They were large, brawny, open-air fellows without neuroses. When they "cleaned up" and went to a big town they made up for their enforced abstentions almost violently. And yet they might be seen enchantedly watching little children at play, sometimes for hours at a time.

Some of their camp debauches or "bursts" must have been extraordinary. A newspaper writer of the fifties describes such an event at Indian Bar during the Christ-

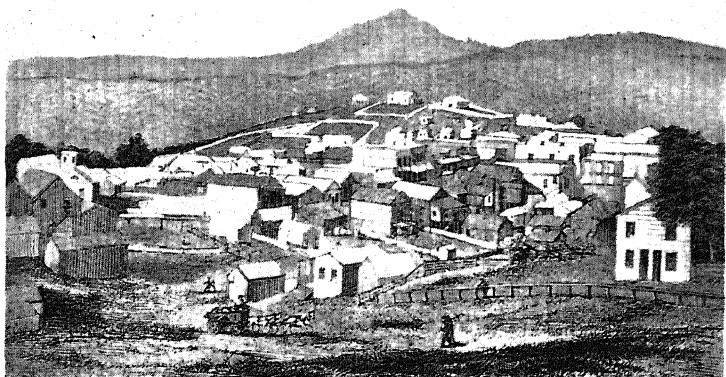
mas season. For three days they danced and drank, drank and danced. At the end of that time they sank, one by one, exhausted, to the floor. But they were by no means inarticulate. Though unable longer to dance or even "stand on their pins," they were able to squirm and howl. And squirm and howl they did, each in a different key, thumping the floor with their feet when able and making grotesque efforts to rise.

Meanwhile a mock vigilance committee went about rounding up all sober citizens, trying them in a kangaroo court, and condemning them for the crime of "sobriety" to stand treat for those still able to imbibe.

The first children of the mining camps were a curious lot. They were for the most part the progeny of those settlers and their women transplanted from an Australian penal colony. These youngsters were viciously precocious.. They were proficient gamblers and drunkards at the age of eight years. They fought like wildcats, resisted all authority, and from the age of ten "sparked"—sometimes even abducted—female children of their own years.

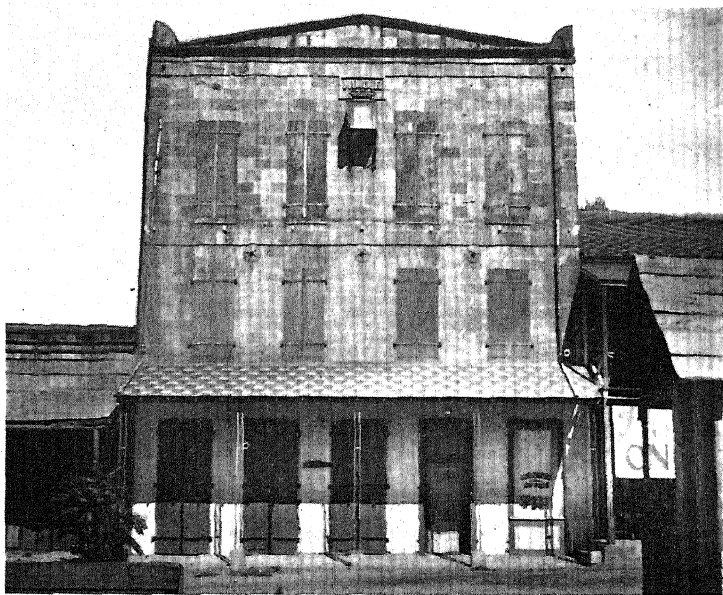
A decade later, when the women of a better class had followed their men to the Mother Lode and bred their own progeny, child life in the mining camps was more normal. Usually on a hill there was a little red school-house and perhaps on another the "meeting-house"





—Courtesy Wells-Fargo Bank

*Mokelumne Hill in 1849. From an old drawing*



*Odd Fellows' Hall, Mokelumne Hill. Its residents claim this was California's first three-story building. Erected in 1854*



*Ruins of Mokelumne Hill Brewery, said to have been first beer factory in the state*



*Main Street, San Andreas, showing iron-shuttered architecture of Gold Rush period*

stood. The boys and girls of that day were sturdy, dependable youngsters. The whilom, exotic brood of an earlier time had vanished like a plague of locusts. But no one seems to have concerned himself about their exodus. They were forgotten and unmourned.

Joaquin Murieta, one of the most notorious bandits of North American history, often came to Mokelumne Hill with his lieutenants, Reyes Feliz, Pedro Gonzalez, and Manuel Garcia. Usually they were accompanied by their paramours, hard-riding, straight-shooting creatures, who rode with the band in male attire. They had witnessed many murders by Murieta and his followers, who delighted in tying the queues of a party of Chinese together and then slitting their gullets, one by one. This, to do Murieta justice, is believed to have been the work of that arch-sadist and butcher, Manuel Garcia, known as "Three-Finger Jack," but if Murieta himself did not participate in the "sport" he made no effort to prevent it. The women, who had witnessed such scenes and taken part in battles with sheriff's posses, were naturally hard-boiled Amazons. But they were in addition young, passably good-looking, and consummate actresses. When Murieta and his three companions rendezvoused at Mokelumne Hill, where they were not known and passed as casual travelers with plenty of money, the four women came also by a differ-

ent route and made their home in the foreign quarter. There they picked up stray information concerning gold shipments and openly flirted with miners, especially such as had made their stake and were about to depart with their "pokes" full of gold-dust. They decoyed them whenever possible to some lonely tryst, where they were robbed and often murdered by male members of the band. Murieta and his aides drank and played poker with the miners, learned news useful to their purpose, and openly discussed the possibility of their own capture with many an unsuspecting companion.

No one guessed their identity until Murieta allowed his anger and vanity to destroy the incognito. One of the miners standing at the bar beside the robber was foolish enough to boast what he would do to "that Blankety Blank Greaser" if he ever encountered him face to face. Murieta, infuriated beyond control, pulled out his pistols, leaped upon a chair, and, proclaiming his identity, defied the crowd. After a moment dumbfounded silence, there was a movement at the rear of the barroom, and Murieta, fearing the consequence of his rash action, fired several shots in the direction of the noise and fled, followed by his confederates. The four women, whose connection with the robbers had not been suspected, took to their horses

and followed. None of them was ever seen again in Mokelumne Hill.

When Murietta was finally killed after a running fight with Ranger Harry Love, the robber's head was severed from the body and taken to the state capital as a proof that the substantial reward for his capture, dead or alive, had been earned. The head was preserved in alcohol and placed on public exhibition, drawing large crowds, including many visitors from the Mother Lode. There is a rumor that the Chinese, who had suffered more than any other people from Murieta's band, offered a large sum for the head. Perhaps they desired it for some Pagan ritual of vengeance, but their offer was refused. For a time Murieta's head was on view in King's saloon, at the corner of Sansome and Halleck streets, San Francisco, where many a drunken toast was addressed to it. Later it appeared in Doctor Jordan's Museum of Anatomy, a collection of fantastic and gruesome relics on upper Market Street. The earthquake and fire of 1906 presumably destroyed it. At least it was never heard of again.

Mokelumne Hill had one of the first and certainly the hottest of newspaper plants on the Mother Lode. It was founded by H. A. deCoursey, Henry Hamilton, and Colonel James M. Ayers, who bought a printing press and type—some say at an auction sale—and

started with it by "Mule Back Express," arriving at the Hill late in the autumn of 1851.

Upon reaching there they found to their consternation that the lumber needed for a print-shop was practically unobtainable. Lumber was in extraordinary demand, for most of the Mother Lode mining camps were displacing their original habitations of canvas and adobe-plastered brush with the slightly more substantial frame structures which antedated the brick and stone era.

Our three journalists were upon the point of abandoning their project when one of them discovered a lot of sheet-iron intended for "long toms" which a local dealer had bought on a falling market. He was glad to dispose of it at a very low price, and it saved the day for *The Calaveras Chronicle*. Upon the lightest of wooden frames, Messrs. deCourcey, Hamilton, and Ayers nailed the sheet-iron plates, creating what was at least a weather-proof shelter for their press and type cases. At midday it was very like the inside of a furnace. But, fortunately, the fall season was well advanced, tempering the heat of the sun's rays.

The three partners, shedding most of their clothes, set up their plant, and ere long the first copy of *The Calaveras Chronicle* added its infantile pipe to the chorus of some half a dozen other new-born periodicals

which disseminated news throughout the Mother Lode. It was to have a longer life under its original name than any other newspaper in the state and to play an important part in the political destinies of the Mother Lode. Colonel Ayers, in his reminiscences of early California, describes the Hill as extraordinarily prosperous. "Business was booming," he writes, "and at night the gambling saloons and fandangos (dance halls) were the centers of attraction. Adams's Express office was buying gold from the miners in prodigious quantities. The output of the deep diggings in the adjoining hills was tremendous. The gold was coarse and the nuggets, or chispas, as they were called, weighing from one ounce to 120 ounces—the latter, of horseshoe shape, the largest ever brought into camp—gave proof of the richness of the diggings."

In *The Calaveras Chronicle* and the later writings of Colonel Ayers are to be found interesting descriptions of camp life and the primitive but not ineffectual methods employed by the Yaqui Indians—generally called Sonorians, after the Mexican district from which they came.

"They used neither shovel, pick, nor machine," Colonel Ayers declares. "Their whole outfit consisted of a short crowbar, a wooden bowl or *batea*, and a horn-spoon. With these they would prospect around till they

found a place to suit them. With their crowbar they would sink a shaft just wide enough for their bodies to enter, and when they got to the bedrock they would drift until they found a lead or rich crevice. It made little difference to them whether they were convenient to water or not. If they were, they would at long intervals come to the surface with their wooden bowl filled with auriferous dirt, which they had carefully assorted, and wash it till only the gold remained in their *batea*. If there were no water handy they would dry wash, as it was called, the contents of their vessel." The dry washing process, seldom used by American miners, has been described in another chapter.

Near Mokelumne Hill, toward the close of 1849, occurred a race war between Chilean and American miners. It caused two murders, several hangings, and one of the most extraordinary pseudo-legal farces in Mother Lode history.

Whether it was a gesture of vengeance against the "gringos," who had treated all Latins pretty shabbily, or a result of the gold-lust which kindled so many passionate misdeeds, is not clear. It was the reverse of most disputes between American and foreign miners, for it seems to have developed from persecutions by the Chileans and their attempt to drive American miners from their own claims.



On one of the Mother Lode hills close to the Mokelumne River, a Chilean aristocrat had established a sort of feudal domain. He was assisted by a number of henchmen and served by a large band of peons, who stood in relation to their masters very much like the slaves in our Southern states. Not only did they warn all outsiders off their hill, which was very rich in gold, but they drove many American miners from gulches adjacent thereto. They stirred up such a rumpus that the Americans thereabouts decided to drive them out, and, sending a delegation to the embattled hilltop, served notice on the leader of the Chileans that he and his countrymen would have to "vamoose."

No resistance or protest was made at the time, but a few nights later an armed band of Chileans rounded up all the American miners in the neighborhood, killed two who are said to have resisted, and marched the rest down a road toward Stockton. One of the Americans, who had some knowledge of Spanish, learned that these Chileans actually held a blanket warrant for their arrest and that it had been issued by a judge in Stockton. Just what the warrant charged no one appeared to know, but it seems to be a fact that the judge had left it to a band of foreigners to serve and execute the writ, appointing them in a body deputy sheriffs.

Whether Judge Reynolds was drunk when he made

this extraordinary decree—as was too frequently the case with Gold Rush jurists—whether he failed to understand the situation and acted in some kind of misguided good faith, or whether he had been “greased,” as one spoke of bribery in those days, is another moot question. Whatever the answer, Judge Reynolds and his sheriff decided the next morning that they had been guilty of a tactical error. They departed in a rowboat for San Francisco just in advance of a large group of miners who yearned for their blood.

Meanwhile the sixty-odd “deputy sheriffs” from South America marched the bound and helpless prisoners through several counties during a stormy winter night, and finally went to sleep in an oak grove, trusting that their tired captives would do the same. But the Americans were made of sterner stuff. They slipped their bonds in the darkness, stole their captors’ guns, and turned the tables, delivering the discomfited Chileans neatly into the hands of a rescue party of Stockton rangers at dawn.

A miners’ court sentenced those directly concerned with the murder of the two Americans to hang, and lost no time in carrying out the sentence. Several more were flogged and two were punished by the amputation of their ears.

It was an affair which caused intense excitement on

the Mother Lode and resulted in an especial animosity toward all Chileans, or "Chilenos," as they were dubbed.

By way of comedy relief for this rather gruesome episode, old files of *The Calaveras Chronicle* disclose what might be called "The Mystery of the Vanished Ink Rollers." They were long cylinders covered by some gelatinous substance which contained molasses and glue, like the hot cross-buns of Lewis Carroll's rhyme. But they were vastly more important to journalism in Mokelumne Hill, because by means of them alone one might ink the types which recorded Mother Lode news.

Where had they gone? Who could have taken them, and why? The mystery only deepened when, a few days later, they were found, the metal cores intact, but only shreds of the flexible covering adhering to them. They looked not unlike ears of corn after a hungry man has done his duty.

"It's them damned Injuns," cried a miner in sudden illumination, after examining the ruined rollers. "I might've knowed it."

"Knowed what?" some one asked.

"I seen an old buck chawin' the ones you threwed away six months ago," returned the miner. "Yep! Some Digger's been havin' a feast."

Mokelumne is a sleepy old "ghost town" now, drows-

ing in memories and architecturally reminiscent of a generation more than once removed. One approaches it from the south soon after crossing the historic Calaveras River. There Captain Moraga, first white man to explore the Sierra Nevadas, found the skulls of many Indians killed in the great battle of 1830. Moraga christened it Rio de los Calaveras, or River of the Skulls.

On a commanding eminence overlooking the town stand the classic ruins of what appears to have been a temple. But it was nothing so noble. Here, in 1860, two Germans, Hemmighofer and Suessdorff, built the first brewery in the state. At least the good folk of Mokelumne Hill declare it was the first, and that its bottled beer was shipped as far as San Francisco.

From there one swings around a bend and into the town proper, with its upper shelf of stores and dwellings, including the old hotel and bar; then downward and around another curve to that glory of the Mother Lode, its first three-story building. Next to it is a soft-drink and souvenir postcard emporium, but the old Odd Fellows' Hall, iron-shuttered and imposing, dominates and discounts this modern touch. A genial Italian, proprietor of the store and descendant of a pioneer, found the old rusty key after some searching and showed me proudly through the "skyscraper." The lodge hall is just as it was in the fifties, when it was built.

Members of the lodge still meet there—grandchildren of the charter members.

This was the heart of the Mother Lode, the country of which Bret Harte wrote. Within a few miles of Mokelumne Hill are Jesus Maria, Whisky Slide, and Poverty Flat, backgrounds against which Harte drew pictures familiar to most American readers, such as Follinsbee's Daughter, "The Lily of Poverty Flat."

## CHAPTER VII

### *Jackson to Plymouth*

FROM JACKSON to Plymouth is roughly a distance of ten miles—longer than most of the world's great auriferous veins, but less than a tenth of the California Mother Lode's magnificent length. Yet from the camps that lie between, and include Jackson and Plymouth, more than half of the gold mined out of the Mother Lode veins has come.

Antedated only by the discovery of Coloma, January 24, 1848, the region between Jackson and Plymouth is one of the earliest gold fields to be mined in northern California, and includes many of the original camps on the Mother Lode. In March, 1848, the first prospector with specimens of gold from the American River reached Tulesburgh, now called Stockton. At this time there was considerable skepticism concerning the value of Marshall's discovery in the famous tailrace at Sutter's Mill. The San Francisco press was treating it with open scorn and most of the newspapers in smaller towns were following suit.

But Captain Weber of Tulesburgh was willing to take a chance. He believed the specimens exhibited by the prospector were gold. He staked his last dollar on

the conviction, for he organized and outfitted an expedition to explore the unknown wilds of Stanislaus, as the region contiguous to that river was called. The expedition worked northward to the Mokelumne River, where a pause was made and gold was found in paying quantities. In fact, Weber's expedition found gold in every gulch and stream from the Mokelumne to the American River. He brought back finer specimens than any that had come from Coloma, and his journey probably did more to make California "gold conscious" and actually precipitate the Gold Rush than anything else. After returning to Tulesburgh, Weber organized another expedition to explore southward from the Mokelumne River. As a result, the sites of many important Mother Lode camps were located.

One of these was Knight's Ferry, on the Stanislaus River. The stream itself was named for Estanislao, chief of the Wallas Indian tribe. In 1848 a large village of aborigines was located there, governed by an extraordinary and commanding figure, known to the whites as José Jesus.

A huge man, red skinned, versed in both the learning of Caucasians and his native lore was José. He had been educated by mission padres and once served as Alcalde of San Jose. But in some manner he had been affronted by the Mexicans of that place and had

returned to his tribe, succeeding Estanislao upon the latter's death. He was, therefore, a power to be reckoned with, and Weber, always diplomatic, made friends with José at the beginning of his explorations, sending him gifts of tobacco and beads and requesting the "loan" of twenty-five Indians to aid in his researches. This request José granted readily, and Weber, after teaching the Indians rudimentary mining practice, found them valuable assistants in developing the gold country.

William Knight, one of Weber's company of trapper-explorers, settled on the Stanislaus River, and, after the gold-seekers thronged that region, built a crude barge which he used as a ferry. The river, though only 150 feet wide at this point, was dangerous to ford. The crossing on Knight's barge was made in about one minute and the fare was \$2—so it proved a profitable investment.

Rich placers thereabouts attracted gold-seekers and Knight's Ferry became a populous camp. There were many tough "hombres." They shot up the taverns and ran wild until Knight's Ferry's better citizens got together and built one of the strongest jails on the Mother Lode. After that there was better order.

In the early fifties Knight's Ferry became Dentville for a time. Lewis and John Dent surveyed the camp and renamed it, though it afterward reverted to its



original name. The Dents were quality folks. They were brothers-in-law of Captain U. S. Grant, as he was then known. He was stationed in an Oregon army post and visited his relatives on the Mother Lode during Gold Rush days. When Grant commanded the Union forces, Lewis Dent became his aide-de-camp, and after peace was declared President Grant appointed him Minister to Chile.

Six stages used to stop at Knight's Ferry daily and the stage company paid \$200 a month for the use of stables there.

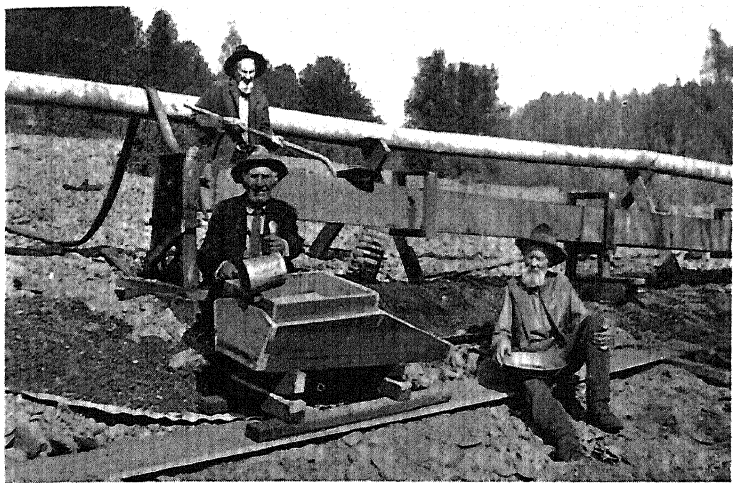
Drytown, Volcano, and Ione were among the first camps on the Mother Lode. Drytown, named after a then-arid watercourse, was the dividing line between El Dorado County to the north and Calaveras County to the south. The latter was organized in 1849, and Pleasant Valley, also known as Double Springs, was selected as the county seat. The following county officers were chosen, and most of them made history of one kind or another before many months had elapsed: County Judge, William Fowler Smith; Sheriff, John Hanson; County Clerk, Colonel Collyer; Treasurer, A. B. Mudge; Prosecuting Attorney, H. A. Carter.

According to popular rumor and public comment, most of them were not too highly regarded. Smith was called "the concentration of all meanness, stinginess,

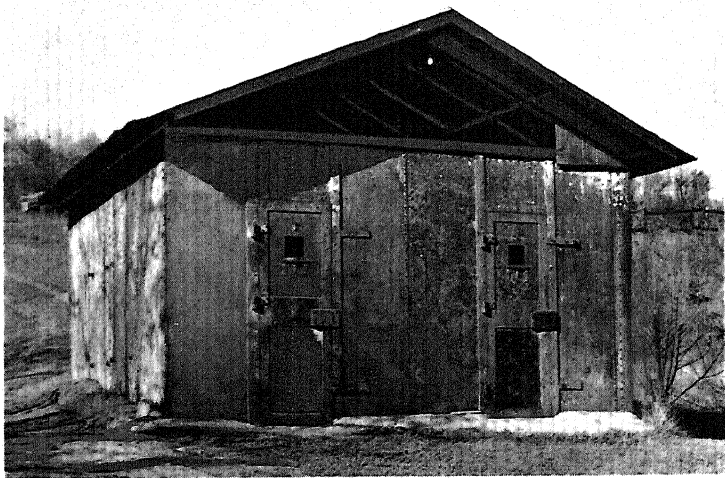
and cowardice," while his friends insisted that he was honest, making no protest against the other charges. Collyer was a fire-eating Southerner who termed every one who did not agree with him "a son of a b——" and threatened to cut his heart out. According to legend, Collyer pocketed all the fees that were paid into his office. He is said to have "naturalized" sixty foreigners in one day, charging each an ounce of gold, or about \$16. The total, nearly a thousand dollars, was not a bad day's wage, even in those times. Treasurer Mudge, meanwhile, went about industriously collecting taxes on any pretext he could devise, and as gold-dust was plentiful and knowledge of law negligible, he succeeded very well. When his pockets became too full of gold-dust for comfort, he declared a vacation and drank or gambled it away. Thereupon he started all over again, sometimes re-collecting taxes he had collected a few days before. Since there were no county expenses save the salaries of his brother officials—whom Mudge blithely left to fend for themselves—he was exempt from the usual accounting.

Things went on in this delightfully simple manner until Jackson seized the county archives and somewhat reformed the political situation.

Jackson was a stopping place between the Mokelumne River and Drytown. A few Mexicans dry-

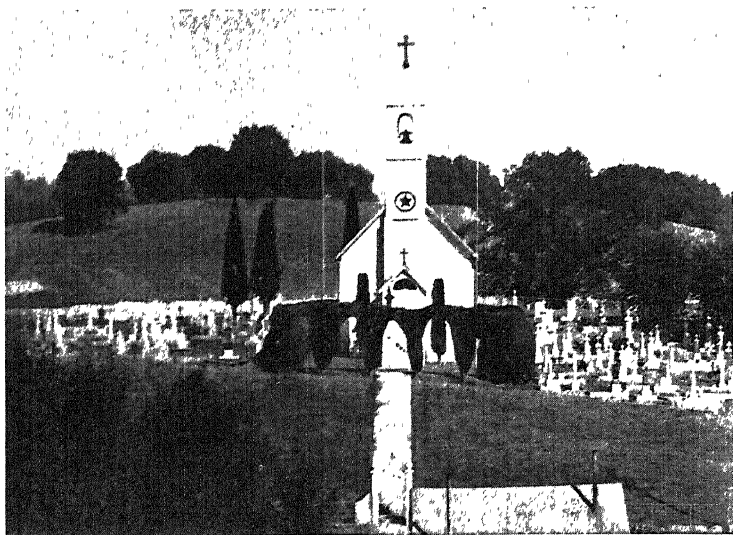


*Three pioneers, mining gold with old-fashioned rocker and sluice*

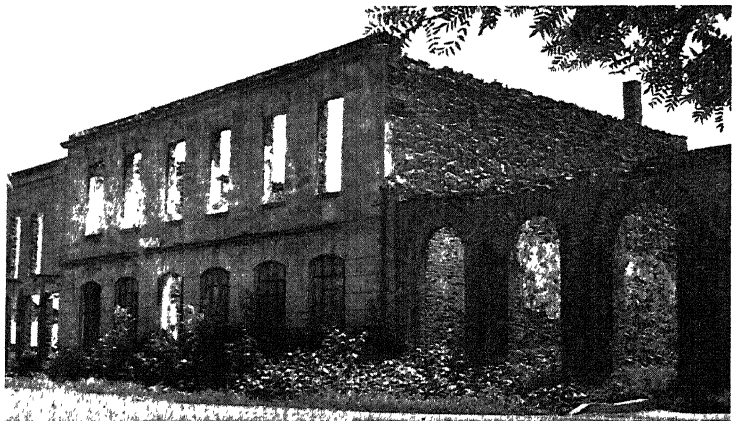


—Courtesy Historic American Buildings Survey. Photograph by Roger Sturtevant

*Jail in Knight's Ferry, built in the fifties of iron plates*



*Old Serbian Church, one of the landmarks of Jackson, where many pioneers are buried*



*Ruins of El Dorado's once lordly business center*

washed there, and a spring flowed near the National Hotel. So many bottles were cast aside at this place for some not clearly understood reason that the Mexicans called it Bottileas or Bottletown, and thus it was known until a number of soldiers who had served under Colonel Thomas F. Jackson, later to be renowned as "Stonewall," named it after their chief. Jackson himself later came to the camp and made it his home for a time.

Louis Tellier, the original white settler, had a log cabin covered with rawhide and an army tent brought from Mexico.

Travel to Sacramento, the nearest supply depot, was both arduous and dangerous. There were no bridges. Animals and men attempting to ford the turbulent streams were often drowned, and the roads in winter were quagmires. Consequently, freight to Sacramento in those halcyon days cost shippers \$1000 a ton, and lumber reached the incredible price of \$300 per foot.

Charles Boynton, business and political genius of Jackson, built the Astor House and a bowling alley out of logs, plastering the chinks with mud. Evans, the trader, built a store of the same material, but the dried mud fell out of the chinks in his logs, and Evans, who had little time for plastering in those busy days, used hams to fill up the holes. The shankbones stuck out all around, presenting an extraordinary appearance.

Another hostelry, which bore the sign "Sugar Brandy," was called "The Sugar and Brandy House." The proprietor was named Kelley. He baked bread in a Dutch oven and sold it by the slice—one dollar plain, two dollars buttered.

Dr. Elliot arrived in camp with an old tent. He sold it for six dollars, intending to build an office. But the rains came before he could do so, and he was compelled to pay the storekeeper to whom he had sold the tent one dollar a night for the privilege of sleeping under it.

Doctors, however, got big fees. One of them posted the following rates on a shingle in front of his office:

One visit, with medicine . . .	\$ 16.00
Reducing fractures . . . . .	\$ 50.00 to \$100.00
Parturition . . . . .	\$100.00

Doctor Marsh met his match in a woman whose sick child he was called on to visit. He remained for some time and saved the patient, the woman meanwhile feeding him and washing his shirt. She had a little dairy, and, before leaving, the doctor counted her cows. He sent her a bill for medical services charging her fifty cows, which was all she had. But she countered with a bill for board and laundry which was equal to his. The physician cursed, then laughed, and called it square.

Before Double Springs was ravished of its county seat by Jackson, it boasted a single house, previous to the

erection of which grand juries and courts met under a big tree. Jackson had eleven houses.

It was Boynton who planned the seizure. He and Theodore Mudge, a relative of the county treasurer, carried it out. They hitched a fast trotting-horse to the best buggy in the place and drove to the county seat.

Double Springs' one building served as a courthouse, hall of records, hotel, gambling-house and saloon. Therein they encountered Colonel Collyer. He had for the moment forsaken that portion where the archives of Calaveras County were stored in a tin cracker-box and was having his "morning's morning" at the bar.

"Howdy, Colonel!" said the men from Jackson.

"Ah, good morning, gentlemen!" acknowledged Colonel Collyer in his courtliest, portliest manner. "Permit me to offer you a drink."

Permission was granted. It involved, of course, reciprocal hospitality. More courtesies followed, as was common among gentlemen.

Long afterward Colonel Collyer aroused from his face-downward doze on the table.

"Le's have nuzzer drink, bartender," he murmured sleepily. "Nuzzer li'l drink all round."

"Sorry, Cunnel, but yore frien's has gone," said the barkeep.

There was a momentous silence.

"Wha's zat?" The Colonel rose unsteadily. "Gone? What? Where?"

"They druv toward Jackson, sir," the other answered him.

The Colonel glared.

"They took that tin box from yore office with 'em," added the mixologist.

With a roar the Colonel grasped his cane and brandished it. "Why, the god-damned sons of B's!" he shouted. "I shall cut their hearts out. I shall call on the militia! Do you hear me?"

"Yes, sir," said the barkeep, who was used to such effusions.

Thus the county seat came to Jackson. A shanty was prepared at the foot of Court Street—named in anticipation of the event—and Judge Smith was on hand to take charge of the archives. By the time Colonel Collyer arrived, red-faced and spluttering invective, he found a special election in progress. To add insult to injury, Joe Douglass was running against him for the county clerkship. Otherwise there were no changes on the ticket.

At sundown, Colonel Collyer, as incumbent county clerk and ex-officio registrar, locked up the votes in a desk which had been provided for him. He suspected that he was beaten, but he wasn't in a hurry to proclaim



it. Moreover, something might be done about it—in the night.

But Judge Smith wasn't waiting till morning. He had little tolerance for Collyer's peccadillos. When the latter had gone, Smith broke open the desk. He counted the votes—declared Douglass elected.

In Jackson's leading saloon, where he had retired, Colonel Collyer was told of what had taken place. He rose and swung his cane. "Tell the son of a B I shall kill him on sight," he roared. He meant Smith. "I shall cut his heart out. Do you hear me?"

Judge Smith was informed of the threat. He was not a fighting man. Neither was he, as had previously been charged, a coward. He put a pistol in his pocket. Whenever he went out on the street, he carried it in his hand.

The following afternoon he encountered Colonel Collyer. The latter made for him, swinging his cane and shouting threats. Judge Smith raised his pistol and fired. His ball struck Collyer in the breast. The county clerk sank, dying, at the foot of Jackson's hanging tree.

"By God! I hit him!" Judge Smith is said to have cried. He seemed overwhelmed with astonishment. He stood, pistol in hand, looking down at his fallen foe until Sheriff Hanson came up and relieved him of the weapon.

Judge Smith was tried before a court over which for once he did not preside. He was charged with manslaughter, but acquitted because of Collyer's public threats against his life. But he resigned his judgeship soon thereafter and departed for regions unguessed.

Though the county seat had done little for Double Springs, it brought prosperity to Jackson. The year which had begun with less than a dozen houses closed with more than a hundred. Jackson was now a full-fledged camp. It had fandangoes, bawdy houses, a hall where public dances or theatrical performances might be held between lodge meetings. But perhaps its greatest attraction was the tame bear chained to a stake in front of Mann's restaurant and saloon.

The beast was gentle as a lamb on most occasions, but dangerous when crossed. From one of its latter moods came a tragedy which robbed Jackson not only of its chief dramatic feature, but of a leading citizen as well.

For some reason Bruin had been staked out in one corner of a pigpen and, perhaps resenting this indignity, had broken loose to avenge himself upon a couple of fat and innocent shoats. The cries of their owner brought Mann to the rescue. He cuffed the offending animal and attempted to drag it away by its chain. But the bear, rising on its hind legs, as it had often done before in play, hugged its master so thoroughly that

Mann died three days later from the effects of the embrace. A wake at which bear steaks were served closed the unfortunate incident.

Jackson was not long to retain the county seat. Having been gained by chicanery, it was perhaps poetic justice that it should be lost in a similar manner. As Jackson had outnumbered Double Springs in buildings and population, so did Mokelumne Hill eclipse Jackson. And Mokelumne Hill, with equal logic, believed itself entitled to the county seat.

According to a law passed by the State Legislature in 1848-49, the county seat might be moved every year if a majority of the population petitioned for a change and a vote of two-thirds indorsed it. Miners were only too eager to sign a petition, and Jackson, being the smaller place, feared the result of a county vote. In order to offset the danger, it was decided to lure most of Calaveras County's voters to Jackson by a bullfight on election day.

Boynton, still the town's political genius, arranged this dramatic event. Eight ferocious Spanish bulls were paraded through the county with banners announcing the fight. They were placed in a strong corral and guarded by armed men. Meanwhile a delegation was sent to Mokelumne Hill to learn what was going on. The men returned with the news that an unusual num-

ber of horses had been assembled there for some mysterious reason and that Mokelumne Hill gamblers were betting two to one the bull fight would not be held.

That evening generous strangers appeared in the Jackson saloons. They were especially eager to buy drinks for the men who guarded the bulls.

At midnight there were loud cries and a rush of hoofs through the town. The guards had succumbed to slumber, and the bulls had been let loose to escape in the darkness.

On election morning Jackson learned the reason for the large number of horses in Mokelumne Hill. Mounted on these steeds, a band of citizens rode all over the county, voting at every precinct. Jackson, having few horses at its command, could not compete. By nightfall the county seat had been voted to Mokelumne Hill by a landslide of ballots, far exceeding in number the population of Calaveras County.

Jackson's loss of prestige, however, proved temporary, and its prosperity continued. It was the gateway to, rather than the location of, rich mines at this time. Later a number of important gold-producers were located there, in one of which occurred a mining disaster of major proportions, claiming the lives of forty-eight men. But in the early fifties Jackson was a trading point. When Amador County was riven from a part of

El Dorado County on the north and Calaveras County on the south, in 1854, Jackson again became a county seat and retained that honor for many years. It was surrounded by rich mines, including the Argonaut, Kennedy, Hayward, Keystone, and Oneida properties, the latter three being among the richest quartz mines known. Each produced millions, and Carson Hill, perhaps the most famous single location, was just north of the Stanislaus River.

Charles Green and John Vogam started a freight and passenger line from Jackson, through Drytown to Sacramento, a distance of about forty miles. It was made in a day, which was considered a marvel of rapid transit. Considering the roads, it probably was. The line was extended through Mokelumne Hill, with Sonora as its destination, and this, also, was made in a day "by skillful and experienced drivers."

The fare was twenty dollars, which was reasonable enough, considering the "overhead." Horses cost \$300 and up; Concord wagons, \$600 to \$1000, and Troy coaches—the Rolls-Royces of that day—cost \$2500 to \$3000 each. Drivers were paid \$150 a month and hostlers \$100. Hay and barley often brought \$100 a ton.

The stages were invariably loaded, and reservations usually had to be made in advance.

Amador County was noted for its monster grizzly bears, some of which, according to report, reached a length of eleven feet. They feared nothing and, even when desperately wounded, had been known to charge and kill their human attackers. Occasionally they were captured alive and brought high prices—\$3000 or even \$4000. But after Mann's tragic experience no one made a pet of a grizzly. They were in demand for bull and bear fights, to attend which miners would come long distances and pay high prices. Sometimes "the gate" exceeded \$10,000.

Jackson was the scene of such an exhibition with an extraordinary dénouement some years after the fiasco which preceded its county-seat contest with Mokelumne Hill. A large and ferocious grizzly had been acquired at a top price for the occasion, but when the multitude assembled for "The Hair-Raising, Stupendous Death Struggle of Beast Against Beast," a half-starved, anemic-looking old bull was pushed into the ring, giving every evidence of fright. This animal was in strange contrast to the magnificent bull which had been paraded through town as one of the contestants-to-be, and the audience, enraged by the substitution, pulled out their guns, rose to their feet and in no uncertain terms demanded the other animal. The young bull was finally introduced and made a dash for the bear, amid

cheers. But it was soon evident that he was no match for Bruin, who chewed and punished his adversary so severely that the bull, blinded by blood from his own wounds and bellowing with pain, made a dash for liberty, scattering auditors right and left as he bounded from the arena. Down the main street of Jackson he rushed. His first objective was the store of a Jewish merchant, in front of which a number of red-flannel miners' shirts were displayed. This the bull demolished completely, pausing to break the show-window of an apothecary's shop in which big bottles of red and green liquid caught his eye. The bull was finally lassoed by its Mexican owner after wrecking a portion of Jackson's business district and injuring half a dozen people.

At about this time a mysterious epidemic of erysipelas, as it was believed to be, broke out in Jackson and surrounding camps. Doctor Soher was much puzzled by its pertinacity. It defied his remedies and nostrums and grew worse until an old prospector from Tuolumne County drifted into town and heard of the baffling malady. He laughed.

"Oh, you think it's funny, do you?" some one asked him angrily.

"No, I think it's lice," the old man said.

And so it proved. There was a general use of boiling

water to wash all wearing apparel, a lavish use of soap to scrub the persons of afflicted miners. Whereupon the "erysipelas" vanished.

Sanitation as well as digestion were practically disregarded in the mining camps of the late forties and early fifties. Miners thought of nothing but gold. Dishes were never washed and clothes not for months at a time. Sunday was supposed to be washday, but very few utilized it for that semi-sacred purpose, since cleanliness is next to godliness. They took off their boots at night because they used them for pillows, but other garments were rarely removed. If a miner wanted to "dress up," he pulled a clean shirt over his dirty one.

Visitations of vermin were progressive. First came the lice, with which practically every one was afflicted. Later fleas preyed on the lice. These were even worse, the miners declared. They used to make flea-traps by leaving a lighted candle in the middle of the cabin floor at night, surrounded by pans of soapy water. Bets were made as to whose pan would contain the largest number of drowned fleas. But there were always enough left to make life miserable.

Later the bedbugs came. They ate, it is said, the fleas and were considered a slight improvement. And then the rats came, preying on other vermin, but they were the greatest nuisance of all. They left tracks on the



butter, gnawed holes in the flour-sacks, and ran over the faces of sleepers, occasionally taking a nip of some one's ear. Cats were hard to get and dogs were often afraid of these ferocious rodents, which grew to enormous size. The only things that kept them down were snakes, and these, including rattlers which caused many deaths, sometimes crawled into bed with miners at night. Last of all came the polecats, whose secret vice was not generally known to miners and whose use of it drove many from their cabins after they had shied their bootjacks at the strange beasts.

Thus life in Jackson and other mining camps along the Mother Lode was seldom without interest. But, after women came, cleaner habits prevailed and better food was served. It made life a bit more prosaic, perchance, for the miners, but they were more comfortable and in the main better satisfied.

At Jamison's ranch, near Jackson, Joaquin Murieta is said to have received the flogging which started him on the bandit trail. His brother was hanged for the theft of a horse, though protesting his innocence, and Joaquin himself was severely punished, for no apparent reason except that he was "a greaser" and in the company of suspected thieves. At any rate he took to "the road" and exacted a terrible vengeance.

His first crime was the stealing of a horse belonging

to Judge Carter. The latter missed his steed and was informed that a Mexican had ridden it away toward a near-by inn. Carter and others followed and questioned the proprietor, a man named Clark.

"I'll get him for you," said Clark. "He's inside, eating now."

He entered the dining-room, placed a hand on Murieta's shoulder, and remarked, "You're my prisoner."

"I think not," said the Mexican quietly. He pulled out his gun and shot Clark dead. Then he and his companions escaped, though shot at and pursued for some distance.

Another tale of Joaquin emphasizes, if true, his better side.

Eighteen-year-old Billy Sutherland, son of a cattle-raiser at Lone, was counting the money he had received for a bunch of cattle. It amounted to several thousand dollars, and Billy was arranging it in orderly piles when a stranger entered the office. Billy recognized him as Murieta, but, being a quick-witted lad, he did not show his alarm. He went on with the counting. When he had finished, Murieta, who stood by watching him with a smile, asked whether he and his friends, a number of mounted men, could get something to eat, and young Sutherland replied that he would see to it at once.

He led them to the dining-room and set out the best that his larder afforded, joining them at the meal and conversing with Murieta and his companions in a friendly manner.

"Aren't you afraid of bandits with all that money?" Murieta finally asked his young host.

"No," replied the boy. "The only bandits in this region are Murieta and his band. I am not afraid of them because they are gentlemen and friends of my father."

Murieta laughed and slapped the young man on the shoulder. "You are right, *amigo*," he replied, with a significant glance at his men. When they had finished, Murieta rose and asked the price of their meal.

"It is nothing. You are welcome," said young Sutherland.

"Ah, no. Good food is valuable and should be paid for," said the bandit. He reached into his pocket and, opening his "poke," poured several ounces of gold-dust upon the table. Then, with a bow and a courteous "*Adios*," he rode off with his companions.

Jackson boasted an extraordinary mining concern. It was called the Minister Quartz Company and consisted of the Reverend Davidson and three partners, all of whom were said to have taken holy orders. This did not prevent them from living the normal life of miners,

working hard at their claim, fitting a judicious oath to an occasional vexing situation, and usually taking a drink to start the Sunday service. Each of them preached now and then, especially when funds ran low. A generous collection enabled them to tide over many a low ebb in their gold-mining careers or stock their cabin with fresh supplies when gold yields were meager. Preaching usually took place at Mann's saloon, where allusions to hell's-fire and brimstone were always vigorously applauded. The miners liked their religion and their medicines vital and strong. They wanted to feel them "take a-hold."

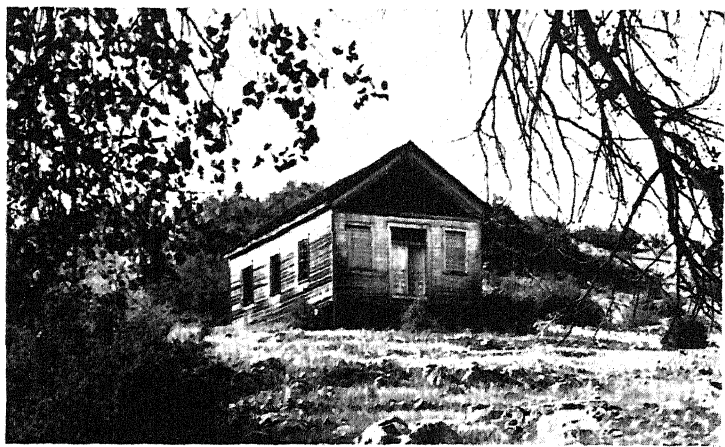
In 1861 a spring freshet almost washed away the main street of Jackson. It was called Broadway, and a portion of it was built across Jackson Creek, which had never before misbehaved. But on this occasion the flood tides were too much for Jackson's somewhat slender underpinning. The wagon-shop went first. Next the American Hotel forsook its moorings and began to mill around in the stream, causing a number of persons within it to become seasick. Followed a row of barber-shops and saloons until some twenty buildings began floating down the stream into Jackson Valley. There they piled up, and an effort to salvage them was made, but most of them were too badly broken up for restoration. For some weeks souvenirs of the



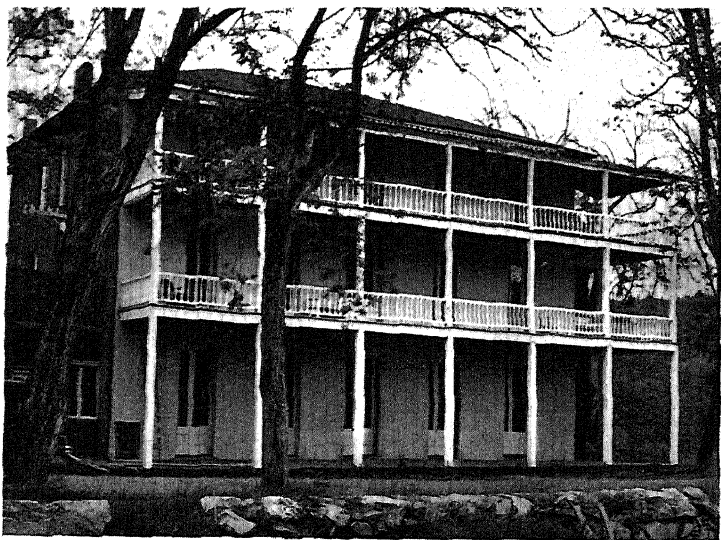
*Main Street of Sutter Creek, where many important mines are still in operation*



*Old chlorination works of the Central-Eureka Mine, a famous producer, in Sutter Creek*



*Volcano's first church. Before it was built gospel meetings were held on its site under a big pine*



*Old St. George Hotel, Volcano, once famed throughout Mother Lode and recently restored*

flood were pulled out of the waters below a whirlpool known as the Devil's Mill, including doors, windows, barber-poles and half-emptied bottles, securely corked, which had made the journey unbroken. These, with an outhouse from the Louisiana Hotel, were among the most valued of the salvaged articles, for the bottles, barring one which contained hairoil, held excellent liquor, and the outbuilding was found useful as a storehouse for explosives. When Broadway was rebuilt, the flood hazards of Jackson Creek were considered.

A few miles off the beaten path lies Volcano, one of the most picturesque of Mother Lode towns. Between Jackson and Sutter Creek you detour to Pine Grove. And just beyond, at the foot of a steep grade, you come suddenly into "The Land of the Past." You are in the midst of quaint old houses, picturesque ruins, and the memory of Gold Rush days.

Volcano antedates even the discovery of gold at Coloma. Early in January, 1848, a party of soldiers from Stevenson's famous regiment camped on a great flat covered with white oaks. They had guns and ammunition, but little money or food. So they hunted and fished until a trapper passing that way brought news of Marshall's wonderful find in the tailrace of Sutter's mill. Thereupon most of them "made tracks" for Coloma.

But, strange to say, the ground they abandoned proved richer than that which they set out to find. Some of them came back and founded "Soldiers' Gulch," which was Volcano's original name. Even Captain Sutter came there to mine in 1848, but he did not stay long nor discover the rich gravel which underlay eight feet of red clay and which was so rich that gold could be picked out of it with one's fingers.

All kinds of people came to Soldiers' Gulch—Europeans, South Americans, Mexicans, Chinese, and Indians. They got along well enough until a dispute developed between American and Indian miners. One of the former lost his pick and blamed the Indians for its disappearance. Rod Stowell, a Texan, shot the Indian chief, and the aborigines, with their Mosaic concept of reprisal, killed an innocent American. A race war followed and, after several battles, the Indians were driven off, though they returned from time to time, stealing horses and cattle until only one old mule was left in camp. A heavy iron chain, by which it was attached to a barn, saved the animal.

The Volcano diggings were extraordinarily rich. A band of Texans who worked a claim made \$100 a day each with ease and gambled it away each night at the Monte games, of which a large number had been established. From the old Cross and Gordon claim at least a



million dollars' worth of gold was mined. Later it became the Georgia mine, which sold 1600 shares at \$3000 each. Sometimes a cartload of dirt would yield \$250, and carts drawn by cattle rented for eight dollars a day. But the richest gravel paid as high as \$500 a pan, and many miners took out \$1000 a day for months.

During the first winter Volcano's residents almost perished from hardship and hunger. They had been too busy hunting for gold to prepare adequate housing or reserve food, and when the winter storms cut them off from supply sources they found, like King Midas, that gold could neither be eaten nor lived in. When a wagon loaded with provisions arrived from Sacramento in the spring, it came just in time to prevent Volcano from turning into a graveyard.

William Wiley drove in the first wagon, and that load of provisions stocked the first store. Flour cost \$1 a pound; vinegar and molasses were \$5 a gallon, and Oregon apples \$1 each.

Volcano profited by its lesson. In fifty-one, James L. Halstead and Thomas Bryant, who hadn't been lucky at mining, tried potato raising with extraordinary success. Halstead made \$20 a day going around with a sack and peddling his "spuds." Later he sold out to Henry Jones, who had a bumper crop of 750 bushels of potatoes to the acre. He had 10,000 potato hills. They

averaged ten to the hill and sold for ten cents a pound. But in 1853 Volcano produced twice as many potatoes as its people could eat, a bad case of over-production, and though the winter snows afforded free cold storage, much of the surplus spoiled.

In contradistinction to most gold camps, Volcano suffered from too much water and had to devise all manner of devices to avoid flooding. One was a pendulum pump, consisting of two 150-foot poles and a pine log swung between them for power. But it required more man-power than it gave service and was abandoned. Hydraulic mining was used near Volcano with tin nozzles and canvas hose of triple thickness. The pressure was jumped up from 25 pounds to 125. The "slickens" from one of the mines completely covered the ranch of a settler known as Payne leaving only the roofs and tree-tops exposed. This was one of the first records of hydraulic damage in California.

Volcano, like all other camps, had its good men and bad. Among the latter was Rod Stowell, the former Texas ranger who precipitated an Indian war. Later he stabbed a Missourian named Sheldon with a clasp-knife, but he claimed self-defense and got away with it. Still later, he tried to recover some cattle belonging to Doctor Flint which had strayed and were claimed by others. He was shot and he wounded two others seri-

ously. This time, a public meeting was held to consider his case and *a resolution was passed to hang him*. But the unexpected recovery of his victims and the pleas of his mother saved Stowell.

Volcano did have one hanging, though. A tough "hombre" named Messer (which is German for knife) got into so many brawls and stabbings that he was finally arrested for cutting out a man's liver with a bowie knife. The town turned out to hang him in a grim duty-must-be-done fashion, and his body was given to the town physicians. Some of it was fed to the hogs and the rest—the skeleton, after its bones had been stripped bare—was used to illustrate anatomy lectures.

Moore Lefty was another rascal, though less violent. He used his shotgun to salt mines. That is, he loaded his gun with gold-dust and fired it into gravel claims he wanted to sell. He sold many, and from those he could not dispose of he retrieved his gold by washing. But he became a bit too "raw" and was run out of town.

Other bad men were those who told the road agents when a heavy shipment of gold-dust was going out on the stage. They are believed to have been prominent citizens, but they were never caught. Several times the express company tried sending out dummy treasure-boxes loaded with rocks, but these were not molested. A big shipment of gold, however, was very apt to fall

into the clutches of a mysterious highwayman. After a time the express company became discouraged and closed its office.

Among Volcano's good men were Preacher Davidson and Doctor Ives. The former belonged to the Ministers' Company, an organization which mined week-days and preached Sundays. Davidson used to assemble his flock on a hill under a big pine back of the armory. They all loved him—Catholics, Protestants, Jews, Indians, and "Heathen Chinese." After a time they built him a church and a delegation was sent to San Francisco to procure a bell. They found a ship being dismantled in San Francisco and bought the old bell, which oxen hauled to Volcano. It still calls the faithful to service on Sundays, though Preacher Davidson is long dead.

Doctor Ives was a true healer who seldom got paid for his services. He mined between sick calls, to feed his three children, and practiced medicine for the most part gratuitously. He had a beautiful daughter named Mary, whom all the young men in Volcano desired. But Mary Ives was destined for a broader life. She was adopted by the childless widow of a millionaire. She married a millionaire, too, from a famous Western family, and only a few years ago, at an advanced age, she was killed in an automobile accident.

Mayor Angelo Rossi of San Francisco was born in Volcano and received his grammar-school education there. His father was one of the early settlers and kept a store. Joseph Cuneo kept another store and saloon in Volcano. He came as a poor man and built up a considerable fortune. Every one liked and respected him. When he died his widow and eight children went to San Francisco. There Daughter Clara met a charming and ambitious young man whom she married, and who helped Widow Cuneo administer her late husband's considerable estate. So well did he succeed that his wife and mother-in-law encouraged him to try banking. This he did, and out of his genius the Bank of Italy was born. For he was A. P. Giannini, head of the great Bank of America.

Volcano got its name from a belief that the country thereabouts was the crater of an extinct fire-spitting mountain. Its black limestone bowlders, cone-shaped hills, and deposits of chalcedony, carnelian, onyx, and jasper indicated volcanic origin. But scientists disproved this eventually, to the relief of residents who had read "The Last Days of Pompeii." Bulwer Lytton was small fry for the colony of intellectuals which once graced Volcano. They met to discuss Spencer, Huxley, Tyn-dall, *et al.* One of them was Alex Hayes, a West Point graduate, who later became a brigadier general and

was killed in the Battle of the Wilderness. Another was General Sompronius Boyd, who fought with the Union army and was afterward a member of Congress.

Volcano once had thousands of inhabitants and forty-seven saloons, besides two breweries, twelve restaurants, many stores, and five hotels. The old St. George Hotel, once famed throughout the Mother Lode, has been restored and will be opened as a tourist resort, they say, for the hunting and fishing around Volcano is famous. One may even bag a grizzly bear or a mountain lion in the near-by gulches.

## CHAPTER VIII

### *Fiddletown and Thereabouts*

FIDDLETOWN was a name that appealed to Bret Harte. But it failed to please the more practical mind of Judge Purinton, who made occasional trips to San Francisco and Sacramento. On such journeys he always dressed faultlessly and deported himself in a manner worthy of his title and attainments. But as soon as he wrote "J. A. Purinton, *Fiddletown*," on a hotel register, neither dignified demeanor nor fashionable attire served him. Hotel clerks snickered covertly, local papers made veiled jests about his visit and "constituents," and in many another fashion he suffered ignominy. So Judge Purinton fathered a movement to have Fiddletown changed to Oleta. In 1878 the Legislature gave it the more classic name.

Fiddletown was christened by a local patriarch, one of the original settlers—a musical group, one would fancy. For when "Ole Missouri" was asked to suggest a name for the new camp he considered the matter for a moment and spat gravely before answering.

"They're allers fiddlin'," he observed. "Why don't ye call her Fiddletown?"

"And Fiddletown it was," wrote a local historian, "not only when it was a hamlet of three or four wagons and a tent, but when it was a town of large streets and a hundred houses, some of brick and some of stone."

There were other changes in Amador County. Poompoomatee became Suckertown and Pokerville was transformed into Plymouth. But most of the picturesque titles remain—possibly because there were few Purintons. The residents of Hogtown, for instance, seemed to feel no stigma, though they might have been excused for doing so. Shirt-Tail commemorates, it is said, a misunderstanding between a Chinese and an American miner.

"Bely cold!" remarked the Chinese to his American acquaintance, meaning, of course, "Very cold."

But the other regarded the Celestial's blouse disapprovingly. "Stick yer shirt-tail in yer pants and yer belly won't be cold," he advised.

Fiddletown had a boom in 1852 when a party of Frenchmen made a rich discovery from which at least a quarter of a million dollars' worth of gold was taken. It was named French Hill, and near it American Hill was established, though its treasure yield was less. Between the two hills a lazy, good-for-nothing hanger-on discovered pay dirt, and that vicinity was christened "Loafer's Flat."



The housing problem, with the sudden influx caused by these discoveries, became a serious one. Captain Stowers, with his two partners, Curtis and Carter, opened a hotel. The barroom had a real glass window, one of the architectural distinctions of Amador County at that time. The barroom was also the dining-room, sitting-room, and bedroom or dormitory of this simple and democratic inn. Potato sacks stretched across poles served as bedsteads. Blankets were provided for guests, but no pillows, a miner's boots serving that purpose. Occasionally coyotes gained entrance during the night and made off with a boot without rousing the sleeper. In the morning there was usually an altercation, sometimes even gun-play, involving charges of theft of the boot. But often it was possible to track the thief in the dust of the road outside and the lost footgear was sometimes found, partly chewed, not far away.

One of Fiddletown's important personages was old Doctor Unkles, a diminutive but aggressive person who kept an apothecary shop in a cubicle six by eight feet. There, from a dozen bottles of assorted sizes, he dispensed remedies and prescriptions.

Doctor Unkles had many disputes and some bitter quarrels with his townsmen. He is said to have prescribed turpentine as a remedy for the eruption believed to have been erysipelas until it was traced to a ver-

minous origin. Turpentine proved an effective but heroic remedy, and one miner who applied it to his sores went gunning for Doctor Unkles in the first flush of his exasperation.

Between the diminutive apothecary and the trio that managed the Fiddletown hotel existed a quarrel over a business transaction. It is believed to have been concerned with meals unpaid for and a campaign of mutual disparagement. At any rate, Captain Stowers, armed with a cane and accompanied by his two partners, Curtis and Carter, finally brought matters to a focus. They proceeded to Unkles' tiny shop, and Stowers, with his cane, swept a number of bottles from the doctor's shelf. "That settles my account," he said, and strode away. But the account of Carter and Curtis was not yet satisfied.

They stood in Doctor Unkles' narrow doorway, barring his egress and threatening him with words and gestures until Unkles unlimbered a jackknife and advanced toward them, making passes at Carter, the foremost of the men. According to a news account of the affair:

"With an instinct born of his knowledge of anatomy to direct his hand, the little knife was a most deadly weapon. The first stroke laid bare the jugular vein; another, directed toward the chest, was stopped by the

folds of Carter's shirt; another penetrated his side, producing a sickening sensation which compelled him to lie down, producing death in a few minutes.

"Carter's friends picked out a tree upon which to hang the doctor, but when the circumstances that Unkles was physically insignificant and that the parties pressing him were intent on serious mischief became known, few were found willing to assist in his execution, and he was not molested."

Fiddletown is believed to have administered what is now widely known in criminal parlance as "the third degree" for the first time in Mother Lode history. It was in connection with the robbery of a Wells-Fargo Express safe in the United States Hotel, kept by the Kendall brothers. Ten thousand dollars was stolen and a man named Ackerly, the camp drunkard, reported that, while returning from a carouse, he had seen one of the Kendalls tampering with the safe. This was generally accredited to drunken vagary, for the Kendalls were upright men, but suspicion immediately turned to three strangers who had come to camp the evening before. They were questioned by the magistrate, but denied any knowledge of the robbery. While still in the custody of the sheriff, three masked men carried off one of the strangers and "gave him the works." They told him, quite after the modern manner of police pro-

cedure, that his two companions had confessed and would be hanged, but that he might save his life by a prompt admission of guilt. The man, however, continued to assert his innocence even after a noose had been placed about his neck. He was hauled off his feet and left to dangle for several minutes. Then he was lowered and once more, upon questioning, denied his guilt. The raising and lowering were repeated three times and might have resulted in death if Doctor Phelps and a deputy sheriff had not cut the rope with a bowie knife. They released the victim of this self-constituted inquisition, temporarily paralyzed by the torture inflicted upon him.

Later the stolen money was found in an old oven not far from the hotel and suspicion turned, for no apparent reason, to Ackerly. He was arrested and escaped lynching, according to a local reporter, "by the skin of his teeth," though there was not a shred of evidence to connect him with the event. Such was the temper of a mob in the mining camps, which furnish a number of examples of executions despite the most emphatic testimony of the innocence of victims. They were violent, direct-thinking men, these early miners, needing an immediate solution for their problems, and always passionately eager to manufacture one and call the incident closed when the real solution was not apparent. It was

this trait rather than a bent for cruelty which impelled them to lynch the most convenient scapegoat and to resent any interference with their plans either on the score of logic or standardized justice.

Fiddletown, before the creation of Amador County, lay between the forks of Dry Creek, which bounded El Dorado County on the south and Calaveras County on the north. It was politically a strategic position. Fiddletowners voted in El Dorado County on election days. But when the tax collector came around they were neither in El Dorado nor Calaveras County. The camp was neutral and exempt, as was Vermont during the Revolutionary War, belonging neither to New Hampshire nor New York.

Drytown, one of the earliest camps in Amador County, once held a political meeting which rates preservation as a cross-section of Mother Lode history. Aside from a few tents and wagons, there were as yet no official buildings. But a meeting more reminiscent of an Indian powwow than an American political gathering was called. A huge bonfire was the center of the arena and around it was seated the camp's populace either on logs or squatting on the ground.

The gathering was a public protest against the election of a citizen named Pilkington, chosen justice of the peace during the preceding afternoon. It developed

that the election had been called by residents of the camp who enjoyed leisure during the daylight or working hours of the miners—*i. e.*, the gambling gentry. They had cast their votes for Pilkington while the more robust members of Drytown society were panning or sluicing gold. Ergo, the latter desired a new deal.

Their chairman was somewhat of a personage. Not only did he possess the only stovepipe hat for miles around, which he wore at the fireside gathering, but he had married a runaway wife of Brigham Young and later dodged his Destroying Angels with ingenuity and agility.

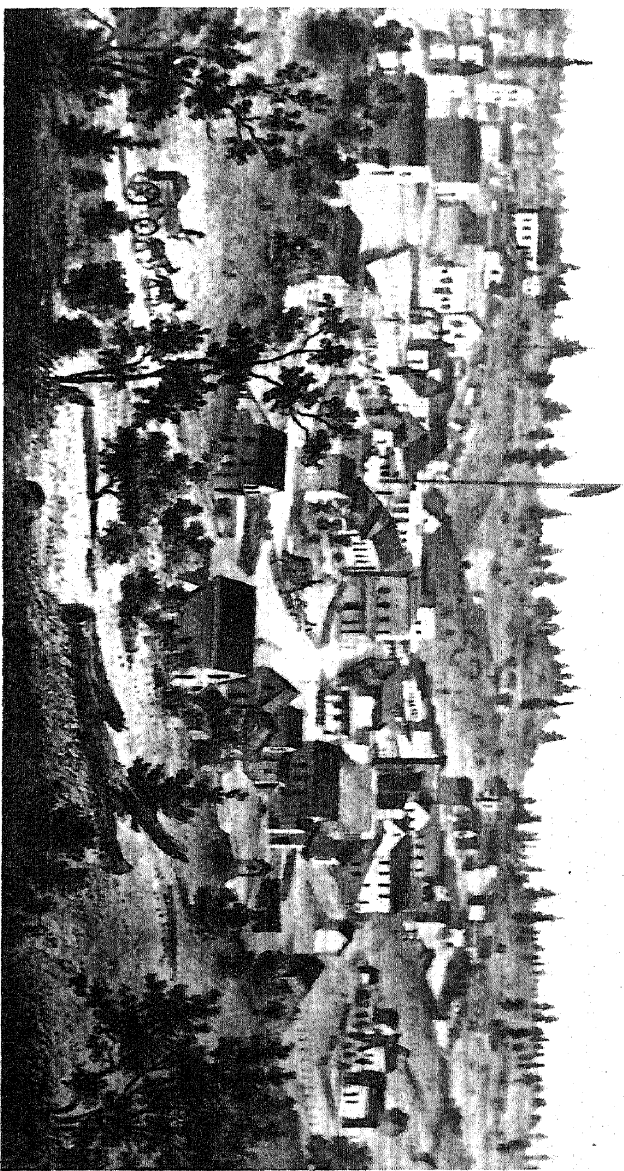
The meeting was short and potent. Beiterman arose, doffed his stovepipe and, after spitting into the fire, inquired: "Gentlemen, what is the pleasure of this hyar meetin'?"

Another miner rose. "I moves, and be it so resolved, that this hyar low-down lick-spittle of the gamblers be throwed out of office and a reg'lar election be called."

Once more the chairman spat. "Ye've heerd the question, gents," he said. "Now, what's yer answer?"

A chorus of ayes and several enthusiastic pistol shots answered him. A few voices piped hesitant "noes," but they were disregarded.

The chairman spat a third time. "It is so ordeened," he said and resumed his hat.



—Courtesy Wells-Fargo Bank

*Auburn, built on slopes of Rich Ravine. From an old drawing made in 1857*



*Sluicing for gold as it was done in 1849. Many unemployed men and women now make a living in this manner*



Plymouth, located at the northern border of Amador County, was a small and unimportant camp until Alvinza Hayward and D. O. Mills invested in mines there and built large mills to reduce the ore. Hayward's history, worthy of a novel in itself, reads like the "Book of Job." It is one of abiding and dauntless faith. His religion was gold reduction, his deity the Hayward claim.

The promotion of this claim, of whose value he was convinced but which others deemed worthless, was Alvinza Hayward's *raison d'être*. He gave it all he had for so many years and in the face of so many rebuffs that he achieved throughout the Mother Lode a repute for being "cracked."

But Hayward was far from cracked. He went on developing his mine. He borrowed and borrowed and borrowed. He went broke a dozen times. Again and again his unpaid shifts quit him with threats and denunciations. Only two of his helpers stuck by him. With them, hungry, ragged, but undaunted, Hayward worked on.

There came a day when, exhausted, long without food, weakness compelled them to stop. Hayward said, "We'll rest a while, boys, and then go at it again." After a few hours Hayward rose and took up his pick. "Come on, boys," he pleaded, and they followed him to

the shaft, staggering, scarcely knowing what they did.

That day they found pay dirt, "picture rock." They were too feeble to cheer. They laid down their tools and "slept the clock around."

Very soon Hayward's income was \$50,000 a month, and the reward of his two faithful workers was a generous competence for life. Hayward went to San Francisco. He built a great office building and invested in real estate. A. N. Coleman, a storekeeper at Amador, who had trusted Hayward in his extremity when all others refused him credit, was another beneficiary of the find in the Hayward (now the Eureka) mine. He sold his store and came to San Francisco, where Hayward, who had bought the agency for a large coal-oil producing company, made Coleman the manager.

But it did not turn out in the Horatio Alger tradition. Coleman was a dub. He mismanaged his office, gambled in real estate, for which he had no flair. He was envious of his benefactor and wanted to show the world that he, too, was a financier. In the end Hayward had to pay huge debts which Coleman had contracted and dismiss him with a generous allowance. To the end of his days Coleman loved to prate of the ingratitude of a certain rich man he had befriended.

Mills, who was a partner of Hayward's in subsequent mining investments, was also a business genius. He

made money on gold and in banking on the Mother Lode. Later he joined William C. Ralston, San Francisco's tremendously popular but ill-fated financial genius, in the Bank of California.

One of the extraordinary events in the history of California's gold era was the sudden revelation of a hitherto unsuspected Spanish grant, known as the Arroyo Seco grant. It appeared out of a clear sky in 1853 and purported to convey eleven leagues of the richest mining and agricultural land in northern California to Teodocio Yerba (or Yorba), an illiterate Mexican.

This grant, which was dated May 8, 1840, was made by Juan Alvarado, then governor of California under Mexican rule. It included all of the rich Ione Valley, which, in the early fifties, was rapidly being taken up by settlers as homestead land, the sites of half a dozen towns, and many of the richest mines on the Mother Lode.

The first record of this huge grant in so far as Americans were concerned was in 1852, when Teodocio Yerba and his wife, Maria Antonio, conveyed their right, title, and interest therein to Andres Pico for 500 head of cattle.

Why the Yervas had concealed their title for twelve years, during which they must have known it was being settled and developed by thousands of persons, is a mys-

tery. It is possible, of course, that they considered it more or less worthless property until after the discovery of gold, and then deliberately bided their time for five years before reaping the cumulative values of their secret ownership. But it is much more probable that the grant was fraudulent. Many of them were, as the exposé of a ring of expert forgers and deed counterfeiters later disclosed.

Alvarado, the alleged grantor, was first a clerk in the Spanish Department of Customs in California, later a revolutionist who wriggled into the governorship. He gave grants right and left to all who requested them. Andres Pico, to whom the Yerbos transferred their claim, was a brother of Pio Pico, former Governor of the Californias, but himself a person of small repute, dissolute and unreliable, according to report. He was affiliated with a Spaniard named Ramon de Zaldo, a clerk in the United States Land Office, and it was believed by many that the grant was cooked up between them. No record of the transaction could be found in the archives at Mexico City, and the claim, after being examined and investigated by the United States Land Commission, was rejected as worthless in 1855. An appeal was made from this decision, however, and in 1856 the United States Circuit Court confirmed the grant, Judge Hoffman holding that Pico was entitled

to the eleven leagues conferred on Yerba, allegedly, by Alvarado. From this decision an appeal was made to the Supreme Court of the United States by the Settlers' League, but in 1858 the appeal was denied on motion of Attorney-General Black, and the case was dismissed.

Governor Downey denounced the grant as a fraud, but the State Legislature seemed indisposed to wrestle with the issue. As a result, Pico and his friend, de Zaldo—to whom he had conveyed a portion of his grant without apparent return—began to cash in on their good fortune. The people of Amador, Sutter Creek, and Jackson acquired titles to their townsites for \$5000 each, and many thousands more were paid by the owners of quartz mines whose mineral claims were contested by Pico and de Zaldo.

In the Ione Valley hundreds of small home owners banded together, employed attorneys, and contested the Pico-de Zaldo claim. New surveys were made by the government and further investigations conducted, but in 1862 Judge Hoffman again confirmed the Arroyo Seco grant of ownership in all of the contested territory.

In the meantime matters became more complicated by a diffusion and division of ownerships. Pico sold a fifth of his interest to Henry Hartman for \$60,000 and two-fifths to de Zaldo. Thereupon de Zaldo sold his interest to Pio Pico. Hartman acted for the others as

a go-between and agreed upon a scale of prices by which homesteaders in the Ione Valley might buy back the land they considered their own. They were to pay \$10 per acre. Land in Jackson Valley was offered for \$9; "red" land—presumably that which was colored by oxide of iron, as much ground in that region was—might be bought for \$4 an acre and "second-class red land" for \$2. The townsite of Ione was listed at \$5000, all differences to be arbitrated.

Some of the settlers paid the sums demanded, but most of them did not. Both they and Pico had spent large sums in litigation, and the latter, impoverished and discouraged, unloaded the whole Arroyo Seco problem on a group of land manipulators: J. M. Moss,<sup>1</sup> H. W. Carpenter, E. F. Beals, and Herman Wohler.

The Settlers' League, numbering three hundred or more, sent a petition to President Lincoln and his Attorney-General, but nothing came of it, perhaps because of the stresses of the Civil War. The new owners of the Arroyo Seco grant made several attempts to evict settlers who refused to pay for their lands. The first was made by a United States marshal whose heart was evidently not in the matter. His dispossession of one Thomas Rickey was gravely attended by a large band of armed neighbors, who made no overt gesture, but whose presence and potential powers evidently dis-

turbed the marshal. At any rate he came no more. Some time later an absurdly theatrical display of power was made in the arrival of a company of soldiers with cannon, which they fired as they approached, although there had not been the slightest show of resistance. The settlers suffered themselves to be dispossessed and many of their goods to be confiscated or destroyed. Some of them camped near the homes from which they had been evicted, while others left the neighborhood never to return. Herman Wohler, a former member of the State Legislature and accused of shady transactions while in office, was placed in charge of the reclaimed properties. He celebrated the eviction of the homesteaders with a banquet attended by soldiers and county officers, the *pièce de résistance* being hares stewed in wine. Toasts were drunk and all within was merry, while, outside, the dispossessed settlers watched the celebration with no cheerful hearts. After Wohler's guests had departed and while he was opening a window to let out the accumulated tobacco smoke, some one took a shot at him, and on the following day he was removed to San Francisco severely wounded. An agent named Clark was sent to take his place. He was prudent and obliging, sympathizing secretly, it is believed, with the settlers, and effected compromises by renting their property back to them for nominal sums.

Gradually the great Arroyo Seco embroglio waned and was forgotten. It was brought before the California Legislature in 1865-66 in connection with a long petition for relief on the part of settlers, an extended and bitter recital of Alvarado's mistreatment of American prisoners during the war with Mexico, and other irrelevant matters. But, while many Californians lost their property as a result of the Arroyo Seco grant, and while a widespread system of something very like extortion was practiced on towns, mining companies, and the owners of large ranches, it was not without its compensations, for it put an end to the many frauds openly and notoriously practiced in connection with foreign grants, genuine and counterfeit, and generally tightened up the loose, unstable land laws of the Pacific Coast.



## CHAPTER IX

### *Placerville and Auburn*

PLACERVILLE, as it is now called, was one of the richest of the early Californian mining camps. About the middle of 1848, before the Gold Rush was in full swing, the gold-laden ravine whose meanderings the town still follows was discovered by three prospectors named Daylor, Sheldon, and McCoon. They called it Old Dry Diggings, a name by no means unique, since half a dozen other camps seem to have begun their existence with a like or similar one.

There was plenty of gold and little water to work it—at least there was little or none in the summer season when our trio reached there. But Daylor, Sheldon, and McCoon stuck to their find. Perhaps they resorted to the old Spanish custom of “dry-washing” elsewhere described, fearing that others would discover and usurp their “El Dorado.” Perhaps they merely bided their time, knowing that in a few months the rains would come, flooding the streams. At any rate, they stayed. By-and-by another man whose name was Beaner came along and opened a store. The first woman to reach Old Dry Diggings found the makings of a first-rate camp. Her name was Anna Cook, and it proved to be

no misnomer, for she set herself the task of feeding Old Dry Diggings' growing population with considerable success. Meanwhile, a saloon keeper looking for a new location happened along, followed by the inevitable Chinese "washee-man." By winter the camp was well on its way to township.

Old Dry Diggings was soon to have a new name—one of which it was not proud—Hangtown. It perhaps deserved the name, for it pioneered mob-execution by noose in the mining country. It was an expedient forced upon the people by desperate necessity, for by some misfortune Old Dry Diggings attracted the vanguard of a criminal influx which the earlier camps escaped. Mexico, Australia, and New Zealand were said to be covertly encouraging their undesirables—many of them hardened rogues—to seek the new Golden Land, and at the time of this criminal invasion this camp was a mecca for gold-seekers. "Ticket-of-leave men" from English colonial prisons; Sydney Ducks, who later burned and pillaged San Francisco, and many of those lawless Latins from whose ranks Joaquin Murieta recruited his murderous band, overran Old Dry Diggings. They committed all manner of crimes. The camp suffered so severely from their malefactions that its law-abiding citizens united against them and took the law into their own hands.

In January, 1849, five men were caught in the act of robbing a cabin. Indignant miners haled them before a citizens' court and found them guilty. They were sentenced to thirty-nine lashes each. But before this comparatively mild punishment could be inflicted several miners, newly arrived from the Stanislaus River, brought fresh charges against them of a much more serious nature. The five men, most of them foreigners, were identified as the perpetrators of a daring and outrageous robbery with attempted murder in a near-by camp. In spite of the generally observed law which exempts a defendant "once in jeopardy" from further prosecution, the quintet was immediately retried, the original proceedings being quashed. In the light of new evidence concerning their Stanislaus River offenses, three of them were sentenced to be hanged. And hanged they were, to the nearest tree of adequate proportions—a gesture of legal or extralegal vengeance which carried its warning through the Mother Lode and which changed Old Dry Diggings into Hangtown as if by magic. Hangtown it became overnight. And Hangtown it remained until the frantic appeals of its citizens moved the Legislature to confer upon the place its present name of Placerville.

But in the time that intervened Hangtown became one of the most famous names on the Mother Lode and

in adjacent mining regions. It struck a note of sardonic humor which its inhabitants did not appreciate, but which met with a generally popular response among Californians elsewhere. The name of Hangtown became, in fact, internationally renowned, for the correspondents of New York newspapers took it up and featured it in their articles. And through these it was heralded abroad.

Another incident helped to spread Hangtown's locally undesired fame. In that town was an eating-house whose cook, a creative spirit, liked to concoct new dishes. One of these which proved popular was a combination of oysters, bacon, eggs, and other ingredients upon which most cooks would have gazed with horror. But it, somehow, made rather an intriguing viand for lusty stomachs and soon became celebrated. The leading restaurants of San Francisco served it as a "Hangtown fry" when the chop houses had popularized it in response to a demand from their customers "in from the mines." And after a time it was obtainable in many restaurants throughout the United States. Out of it evolved in later years something better known as a "combination grill." But Hangtown fries are still called for and obtainable if one knows where to go.

While the hanging which had such potent nomen-

clatural results established a precedent, it was not the first lynching on the Mother Lode—for lynch law in those days meant flogging and other forms of punishment rather than the death penalty. As early as 1848 a deserter from the ship *Ohio* was “lynched” on the Calaveras River for stealing money. The misguided wretch first pilfered a quantity of gold-dust undetected, and might have escaped with this valuable and portable booty scot-free had not his stupidity and avarice prompted him to attempt the theft of a bag of silver dollars. In moving this he jingled the coins and awoke the owner, who raised an immediate alarm. The thief was caught and tried. The first sentence imposed was that of hanging. But opposition to capital punishment developed among the more tender-hearted attending the tribunal, and the penalty was changed to one hundred lashes, shaving the culprit’s head, *and cutting off his ears*. The final and rather horrible feature of this punishment was inflicted by a physician, who staunched the flow of blood, cauterized the wounds, and applied surgical dressings—after which he assisted in kicking the miserable wretch out of camp.

Undiscouraged by the beating and mutilation just visited upon him, the man stole a mule and had the further hard luck to be seen and apprehended by the owner. Once more he was tried and condemned to a

flogging. But when his back, still raw and bleeding from his previous castigation, was bared, he was permitted to go with a warning never to return. There is no record of his having disregarded it.

Among the most fanciful of lynching legends is that concerned with the execution of "Irish Dick," a jolly, roistering son of Erin with a bad temper and a fine pride. After a card game in which he believed himself to be defrauded, he waylaid the gambler and accused him of cheating. In the altercation that ensued, Dick shot and killed the man. For this he was reluctantly sentenced to hang, but, being in many ways a good fellow, so the story goes, he was permitted to arrange his own execution. With a noose about his neck he was permitted to climb a tree, carrying the other end of the rope, which he fastened securely to a branch above his head. Thereupon, at a signal from the sheriff—another delicate gesture, for it involved the dropping of a silk handkerchief—Dick leaped from the limb on which he was standing, with a final wave to the crowd below, and hanged himself very neatly, his neck being broken in the "drop." It is related that a sympathetic and admiring cheer greeted this courageous maneuver. One cannot but hope that it eased for Dick the pangs of dissolution.

Placerville seems to have contributed or at least been

the stage for a novel and gallant interpretation of the laws governing marriage and divorce. It appears that a handsome young woman whose husband had deserted her wished to marry again, so she asked the Alcalde of Placerville to perform the ceremony. The Alcalde demurred, owing to the fact that her legal mate had left her only three months before and might, presumably, intend to return. To this judgment the Alcalde of Santa Cruz, visiting his brother executive in Placerville, took indignant exception. He contended that any man who would absent himself from so fine a woman for ninety days must be either insane or dead. "I'll marry you myself," he told the ardent couple. And he did.

Placerville, under one or another of its varied names, had many ups and downs. In 1850 the surface gold values had declined to such an extent that many declared the camp "worked out" and departed for other scenes. It began to look as though the camp would join a long list of deserted diggings when the overland migration, with its constant stream of Eastern settlers, a-horse and in covered wagons, selected Placerville as a halting station and gave the place a new and more stable resource. It responded quickly to this fresh stimulus and soon had a resident population of more than two thousand men, women, and children, recruited for the

most part from the passing wagon trains. Mining boomed again, and miners cleared from \$8 to \$200 a day. A traveling preacher named Kalloch built the first Baptist church and, though his rites naturally languished in summer, when water was too scarce for baptisms in the good old-fashioned way, the autumn brought flood tides which served both religion and industry.

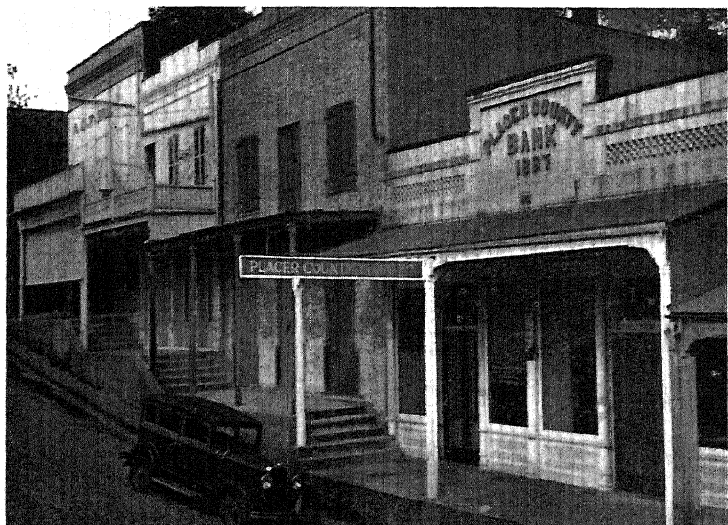
Agriculture also had become a factor of considerable economic importance thereabouts, especially viticulture, for wine making was becoming a profitable trade in Northern California, as it had long been in the southern portion of the state.

Famous men found the beginnings of their fortunes in Hangtown Camp. Mark Hopkins, eldest of the four railroad pioneers—the Big Four—who built the Union Pacific, came to Hangtown in 1849, not long after the multiple lynching which gave it a new name. He was a plain man, like the others, mining in the gulches, cooking his sowbelly and beans over a camp fire, using his boots for a pillow at night. But he saved his gold-dust, didn't throw it to the gamblers. Perhaps in his mind was the vision of a bigger gamble—a magnificent gamble against hostile Indians, desert heat, and a thousand other obstacles—which was to span a continent with steel. Or, perchance, he was merely thrifty and

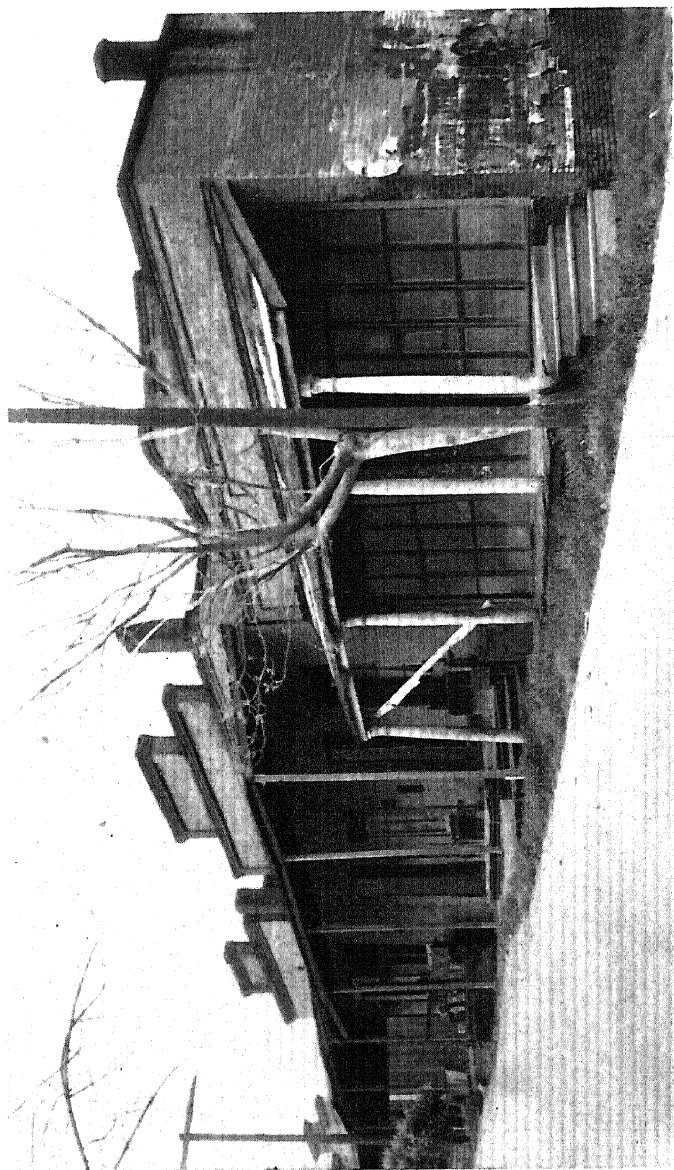




*Main Street of Georgetown, northern terminus of the Mother Lode*



*One of the sloping streets of Auburn, showing old buildings*



—Courtesy Historic American Buildings Survey. Photograph by Roger Sturtevant

*Chinese quarter of a Mother Lode town, with original Gold Rush structures*

ambitious. At any rate, he saw futures beyond the gold pan. By and by he had enough money to purchase a wagonload of goods in Sacramento. He brought them back to Hangtown and opened one of the first stores. He prospered and saved. He went steadily upward. But Hangtown's auriferous placers and hungry miners gave him his start.

Four years later, in March, 1853, another Man of Destiny started for the gold fields and landed in Hangtown. They called him Johnnie Studebaker, and the good folk of South Bend, Ind., laughed at him when he built his own wagon for the California pilgrimage. But some of his townspeople believed in him and went along. It took them five months to reach the Mother Lode. They liked Hangtown and stayed there.

Young Johnnie Studebaker wanted to mine, but the placers at the close of fifty-three were not paying much. He looked over the field and was disappointed by the prospect. A friend offered him a job making wheelbarrows. They were in great demand.

The legend of Studebaker's first wheelbarrow is still a humorous legend along the Mother Lode. It was huge and cumbersome. The miners laughed at it. "I'm a wagon-maker, not a wheelbarrow builder," he said in defense of his ugly duckling. But he went on making barrows. The second one was better and the third one

was good. His barrows "stood up." They weren't like the cheap ones that came from Sacramento and broke down after a few loads. Pretty soon Studebaker barrows became famous. He couldn't fill the orders that poured in. He was known as "Wheelbarrow John" far and wide. But by 1858 he had had enough of it. He wanted to make wagons. So he took his savings and went back to South Bend, Ind. The rest is history.

Many of his sturdy wagons crossed the plains in later years. They crossed the seas, too, and were famous all over the world, but if it had not been for the \$4000 he made out of wheelbarrows in Hangtown he might not have found the funds to start his famous plant. He almost lost his stake in the big fire of 1857. The bank in which it was deposited moved its funds hastily, leaving them, in the excitement, insecurely guarded. A good many people lost their savings. Some of them disappeared. But Studebaker took no chances. He got together a little group of friends and set a watch on the temporary depository. Night and day, in shifts, they mounted guard until the moneys were safely returned to the bank vault. There was a good deal of looting in those days. Hoodlums set camps afire so that they might rove and steal. But "Wheelbarrow John" could take care of his own. He belonged to the Confidence Engine Company. So did his friend, McKean Buchanan, the

actor. When the New Orleans Hotel burned, the latter was playing "Richelieu." But he ran off the stage in his red cardinal's robe and helped pump the volunteer engine.

Hangtown was Placerville then, an incorporated city with six aldermen to preside over its political destinies. It ranked among the four municipalities casting the largest vote in the state. It possessed flourmills, brickyards, and foundries. From its brick kilns came the material for most of the new courthouses on the Mother Lode. Every growing town wanted a new brick courthouse. And its foundries supplied the iron doors and window-shutters which made the architecture of California's mining regions unique.

After the big fire of 1857 Placerville's fortunes declined for a time. But a combination of fortunate circumstances set it on its feet again. The South Fork Canal brought relief from the seasonal droughts of former years. The county seat was removed to Placerville from Coloma. Rich gold was found in a number of cellars after flames had destroyed the buildings which hid it, and mining received a new impetus. Also, the town became a supply depot for the extremely rich Washoe mines until a railroad from Sacramento diverted this source of revenue. But by that time Placerville had been firmly established. Wine making had

attained a prosperous development and the cognac distilled in near-by wineries had a wide renown.

Auburn is built on three distinct levels and is sometimes nicknamed "Three-Story Town." Lying thirty miles from Sacramento in the foothills of the Sierra Nevada Mountains, Auburn is entered from the south by its "basement" approach or foreign settlement. This is the original camp site where a couple of "Chilenos" began digging and washing for gold in 1849.

The place then had no name. It was located in Rich Ravine. When the first "gringo" came he christened it Wood's Dry Diggings, after himself, and because there was little or no water when he arrived. From the hill which was to be Auburn's "third story" one might view the American River flowing in picturesque majesty below. But that was too far away to carry Rich Ravine's gravel for washing.

Claude Chana, a Frenchman, is said to have found the first of Rich Ravine's gold. In 1846 he "came over the summit," as one said of wagon-train arrivals, with a party of his countrymen and worked for Captain Sutter as a cooper for a couple of years. James W. Marshall, who started the Gold Rush at Coloma, taught Chana how to pan gold, and he promptly abandoned cooperage for mining—much to the disgust of Captain Sutter, who considered the former a more important vocation.

But Chana had no reason to regret his choice. He made \$25,000 on the Yuba River and then tried his luck in Rich Ravine, which abundantly deserved its name. Near what is now Auburn five carloads of dirt netted a miner \$16,000.

John S. Wood, who gave Auburn its first baptism, was a member of Stevenson's Regiment, which arrived in California too late for the Mexican War and discharged its soldiers for the most part into the gold fields—for which every able-bodied new arrival "made tracks" in those days.

Wood wrote to his fellow soldiers of the "find" and they hurried to join him. It was one of them, with a poetic bent, who renamed Wood's Dry Diggings, calling it "Auburn"—not after a city in New York, as is generally supposed, but in honor of Goldsmith's "loveliest city of the plains." This Auburn, with its hills and slopes, emphatically was not, but the new name, possibly because it was shorter and more distinctive than the previous one, became official.

At that time Auburn was in Sutter County, whose governmental seat was Oro, two miles from the junction of the Bear and Feather rivers. It was a mere "paper city," created for some reason by Thomas Jefferson Green, a state Senator. When selected as the county seat, Oro was a rock-strewn meadow void of human

habitation, and when political exigency demanded the holding of "court" there it was perforce adjourned to the neighboring camp of Nicolaus.

Only one further attempt to establish Oro as a judicial center is recorded. A building was erected of rough boards, intended to serve as a courthouse. It was twenty by twenty feet and had neither doors nor windows. An aperture to admit judge, jurors, and litigants was sawed out after the building was completed, and one or two holes were added for light and air. Upon this official cubicle, roofed with corrugated iron, the Californian summer sun beat with exceeding fury. An effort to convene court was made, but before the bailiff could call it to order the entire assembly stampeded, gasping for the outer air.

Sutter County was a large, unwieldly subdivision, one of twenty-seven counties created by the State Legislature in 1850. It was later divided into five pieces. Sparsely settled, knowing little of law and order in a technical sense, its inhabitants seem to have been more law-abiding and peaceful than those of most other counties in the gold fields. It contributed little to the hectic chronicles of lynch law and crime so prolifically general throughout California during the fifties and sixties.

It was J. C. Biggs who suggested Auburn's removal to the next shelf of higher altitude. Auburn's original



site was becoming a shade too "cosmopolitan" for even those democratic days. A considerable influx of Chinese was looked upon as a pollution of the social stream, and a higher strata, both physically and ethnologically, was favored, with a townsite built around the traditional plaza or square which the space exigencies of Auburn's first site precluded. After a fire which practically razed Auburn, the removal of its site was simplified and further stimulated by a belief that the careless habits of Chinese citizens were responsible for the blaze.

According to plan, each white citizen was to have a lot on the margin of a square in the center of the new townsite. But the first to start building was a saloon-keeper who had seized Time by the forelock and commandeered one of the choicest and most central locations. Great indignation was aroused. A mass meeting was held after his refusal to remove the half completed ginnery, and a rider on a fast horse was dispatched to obtain a restraining order from the county court. Delays, however, ensued, and when the rider returned with the desired injunction it proved useless by reason of the "*fait accompli*." The tavern was finished, and much of the town's earlier opposition had melted before a grand opening and a service of free drinks.

It was then that the frustrated moralists of Auburn determined that county rule was much too distant to

be useful. Auburn decided that law as well as charity should begin at home, and declared itself a contender for the county seat.

The first attempt was unsuccessful, Nicolaus being the winner. But on a subsequent occasion Auburn invoked superior campaign methods and won.

Up to that time voting was very informal. Ballot-boxes were nailed to trees so that miners and travelers might vote from horseback *en passant*. These receptacles were open. One might readily examine or count the votes of others if inclined to do so—even tamper with them facilely, though it is doubtful whether the miners of this period availed themselves of the opportunity. They were a naïvely honest and incurious class. It probably never occurred to them.

But other and advanced ideas previously adopted by Tammany Hall, from whose shadow many Auburnites had come, were invoked to win the county seat for Auburn. By this time the *al-fresco* ballot-boxes were outmoded. Voting took place in a town's principal store, which in Auburn was Walkup & Wyman's Mercantile Emporium. Thereto came voters from all over Sutter County to declare their choice of a county seat, and therein were deposited, as a facetious historian asserts, "more votes than all the men and women, Spaniards, Sonoras, bucks and squaws in Sutter County.

That statement, in the phraseology of Californians during the fifties, indicates the social values of that time. "Men and women" refers, of course, to Americans, including, perhaps, the better class of non-Latin Europeans. But all Spaniards, Mexicans, South Americans, negroes, and Indians were classed as slightly below the human status. Chinese were not even considered.

At any rate, Auburn won the county seat. It had sent boosters, with extra saddle horses, to Coloma, Millertown, Rock Creek, and way stations. This free transportation and the promise of "refreshments" brought dozens of voters; and who shall say, in the light of modern politics, that Auburn's methods were unethical?

There was, it would appear, no protest. In fact, the turning over of governmental honors from Nicolaus to Auburn was made a gala occasion, followed by feasting and dancing in the new county seat. Auburn's city fathers seem to have possessed a way with men. They fed and entertained both the voters who brought them victory and the vanquished foe.

Nicolaus, previous to the *coup d'état*, had been a prosperous and growing place. It was named for Nicolaus Allegier, a Swiss. He was a friend and fellow countryman of Captain Sutter, who gave him a square mile out of his vast domain to establish a townsite. Nicolaus at one time rivaled Marysville, but its fortunes declined.

After the removal of the county seat its population and importance dwindled.

But its citizens proved at least good losers. They came to congratulate Auburn, bearing the county seal and other simple appurtenances of authority. They dined with Auburn's politicians and drank their health. No one seems to have cried "*Morituri te salutamus*" in a blither spirit.

Auburn built its first courthouse of frame and covered it with canvas. Behind it was the jail, for obvious reasons a more substantial structure, built of logs. Around that civic center, whose keystone still remained the original saloon, huddled the dwellings and mercantile establishments.

Soon afterward the geographical cell that was Sutter County split into five, which included Nevada, Trinity, Klamath, and Placer counties. Auburn found itself in the last named of these extensions and, being the most important place therein, retained its judicial status. The switch was attended by an election contest—one of the first in the mining regions. Horace Davenport of Rattlesnake disputed the judgeship of H. Fitzsimmons of Dead Man's Bar, but without success.

Auburn's architecture was simple, consisting of log cabins and shake or clapboard houses in about equal proportions. Its most lordly structure was the two-story

National Hotel. By 1861 its mineral glories had declined, but agriculture was strongly in the ascendant. The third level was being populated by the more ambitious, and Auburn's slopes were covered with orchards and vineyards from which a steady and important revenue was derived. There were nineteen brick and stone structures besides innumerable wooden and canvas dwellings. A schoolhouse crowned one of the hills, the new courthouse another. Many buildings, including the jail, had iron doors and shutters.

Early in 1858 there occurred near Auburn what is believed to be the first entombment of miners in the Mother Lode country. Three Frenchmen, having discovered a rich vein, decided to sink a shaft. They had little experience in such matters and, though they had been warned that the timbers they proposed to use were too light, they went on with their work to a depth, it is estimated, of about forty feet. As their mine was somewhat remote from others in the vicinity, no special check was kept on their movements, but when they had been missed from their usual haunts for a considerable time an investigation was made. It revealed the fact that their shaft had caved in on top of them, and, as it was evident that the accident had occurred weeks before the discovery, no attempt was made to rescue them. It was apparent that they could not have lived more than a few hours

with many tons of dirt and heavy timbers on top of them. It was equally apparent that if they were exhumed they would only have to be buried again, so the logical thing was to place a "headstone" at the top of the shaft. This was done. The epitaph was simple because their names were not known to Auburnites. The years passed and the shingle "headstone" crumbled and was washed away by winter rains. But the old-timers remembered. Now and then they pointed out the old shaft and related to some traveler its tragic story.

Ordinarily the legend would have faded. But it happened that in 1924 the American Mining Congress decided to hold its convention in Auburn. Among those who determined to make it a success were James D. Stewart, a hydraulic engineer, and William G. Lee, a merchant, both of Auburn. They were the best of friends; each had a sense of humor coupled with a sense of the dramatic. About a month before the convention date they had a conference from which they emerged chuckling.

Immediately thereafter a movement was started to unearth the bones of "Auburn's martyred pioneers" and give them a ceremonial interment while the congress was in session. Stewart was the protagonist of this plan. In some extraordinary manner he discovered that the previously unidentified Frenchmen were Jean Valpeau,

Yuill Haney, and Monte Cartier." A rumor that when last seen the men were wearing belts containing thousands of dollars' worth of gold-dust seemed to come out of nowhere. The public administrator applied for letters of administration to their estates. Stewart rigged up a hydraulic apparatus with which it was planned to wash the "remains" from their earthy tomb. Appropriate ceremonies were prepared for their public burial.

Then, curiously enough, a well-defined opposition to the scheme developed and grew. And, even more curiously, it was fathered by Stewart's friend and comrade, William G. Lee. Each of them made speeches. Lee called it a sacrilege, the act of a vandal and ghoul, to disturb the bones of these poor men. A Roman holiday, he termed it. He sought an injunction in the county court. And he obtained it.

The newspapers of Auburn took opposing sides. One editor suffered a punch in the nose because of his violent editorial. Then the county papers took it up. The state papers followed, and finally the press of the Pacific Coast. It became a *cause célèbre*. The Associated Press gave it attention.

Stewart and Lee were "on the point of blows." They refused to sit next to each other at Rotary dinners and the like. It was a shame to let such a matter break up the friendship of a lifetime, people said.

"Came the dawn," as it were, of the American Mining Congress, and with it ten thousand visitors to Auburn. The grandest possible time was had by all. It ended with fireworks. Not a word was said about disinterring the Frenchmen's bones. Somehow the thing had been dropped like a hot potato. But, marvel of marvels! Jim Stewart and Bill Lee went about arm in arm. No one had ever seen them so friendly before.

Every one was pleased. Not until after the great day was finished did anyone smell a rat; not until the injunction had been dismissed, the petition for letters of administration withdrawn; not until the committee on publicity, of which Stewart and Lee were members, had reported a million dollars' worth of free advertising.

Then some one remembered "The Pliocene Skull" hoax of Angel's Camp. And some one else recalled the secret conference between Stewart and Lee.

"What the devil did you fellows talk about that night?" some one asked them.

"O-o-oh, nothing," they replied.

At some time in its history Auburn became known as a health resort. It was high and dry—1360 feet, to be exact—above the hot, humid Sacramento Valley, and only an hour's ride distant after the railroad came. Auburn was rich enough, a decade after the Gold Rush, to vote a \$50,000 bonus to the Sacramento, Placer &



Nevada Railway—no small sum for a new camp whose mines were not holding up and whose population was only a few thousands. It must have cost each male inhabitant something like fifty dollars, and then the railroad missed Auburn by five miles. Not until years later did the Central Pacific, crawling over the summit and down to San Francisco, make Auburn a railway point.

But much earlier than that Auburn developed a cultural status which it has retained and developed throughout the years.

On April 9, 1854, Auburn celebrated with enthusiasm which was almost violent the birth of its first newspaper, *The Placer Democrat*. John Shannon, who was to become a stormy and tragic petrel in California's bucolic journalism, was the owner of the new paper and Philip Lynch was its editor.

*The Placer Democrat* gave to the beauty-starved soul of the Mother Lode its first recognized poetess. In an early issue she welcomed spring as follows:

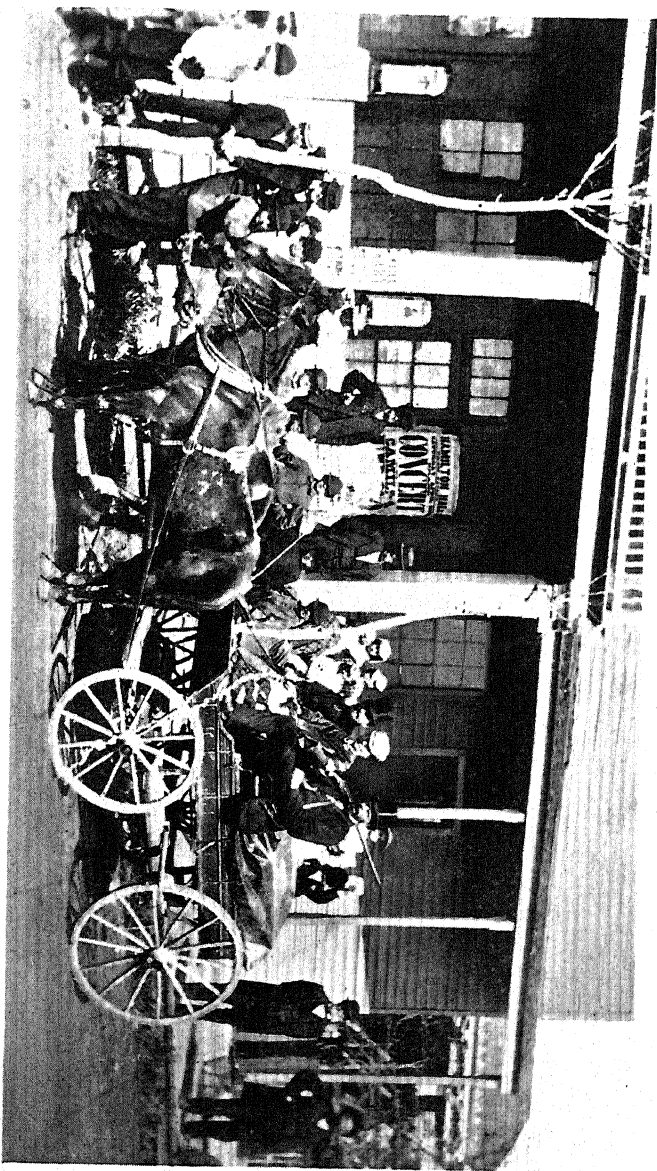
She comes, the varied, vernal May;  
Let's haste to gather our bouquet.

Later she penned, with equal nonchalance, spring's epitaph:

Deceased sweet May, thou Queen of Flowers,  
In vernal robes to dress the bowers.

Not all of her effusions were couplets. But space precludes the reprinting of her longer poems. They were signed "Eulalia," and their author's identity remained a secret for some time, despite the passionate appeals of Auburn's sentimental young swains, who wrote her "mash notes" a-plenty, and the active curiosity of many of the town's sewing society, to which, curiously enough, she belonged. Alas! she did not live to achieve the fame which many of her readers believed she deserved.

When Mrs. John Shannon, wife of *The Placer Democrat's* owner, died in child-birth, it became known that she was "Eulalia." Her death had two unfortunate results. It delayed for a time Auburn's literary progress and it sent John Shannon, lonely and restless, wandering down a path that led to violent death a few years later. Shannon finally settled in Visalia, the new capital of Tulare County, and started a newspaper whereby he made a rival and an enemy of Editor Morris, already established in the printing and publishing business there. The men belabored each other with printed words and finally with shouted epithets. Shannon, the larger of the two, threatened publicly to take it out of his enemy's hide. Morris loaded a pistol and stood or rather sat pat in his office, keeping a close watch on all who entered his door. When, one afternoon, not long thereafter, he perceived Shannon's silhouetted figure on his



*One of the earliest photographs made in Grass Valley, showing Lola Montez and her husband,  
Pat Hull, beside stage driver*

—Courtesy Wells-Fargo Bank



*Old assay office, Nevada City, where specimen ore which started rush to Comstock Lode was analyzed*

threshold, he did not even wait to cry a warning. He fired. And Shannon, shot through the heart, fell dead.

He was buried, unmourned and unepitaphed. But over the grave of Mary Fee Shannon stands a marble headstone simply lettered:

EULALIA

ERECTED BY J. M. REEVES

Later Joaquin Miller celebrated in song the case of Alma Bell, who shot a too-insistent admirer in Auburn. She was exonerated, and Miller celebrated the event by a poem whose refrain was:

Smite, Alma, Smite!

This was a trifle late, for Alma had already smitten. But between her and the Poet of the Sierras Auburn's fame increased.

Ambrose Bierce made Auburn his home for a time. And somewhat later Edwin Markham and George Sterling heralded the advent of Clark Ashton Smith, born in Auburn, as an addition to the ranks of America's master poets. His "The Star Treader" had a wide reading and sale, and two other volumes added to his renown. Markham wrote:

His poem, "The Hashish Eater, or the Apocalypse of Evil," has been called the greatest poem in the literature of the grotesque, and he himself has been called (justly, I think) America's Boy Wonder.

To Auburn next came Jackson Gregory, perhaps not as pure a disciple of the muses, but a more lasting and widely read promoter of Auburn's literary advance. Jackson Gregory married one of the seven beautiful and talented daughters of a notable figure in California's literary history, though not associated with Auburn or the Mother Lode. This was C. F. McGlashan, who ferreted out the hidden story of the tragic snowbound Donner party and amazed the world with its published history in 1879.

Gregory was a school-teacher with a flair for writing which his wife and father-in-law encouraged. Gregory soon developed his hobby into a profitable craft and now lives on the crest of Auburn's "upper story," Aeolia Heights, with a view of the American River Valley that is surpassed by few visual prospects in the entire world.

A little lower down, on College Hill, overlooking the orchard-grown slopes, lives Harold Waldo, whom Hugh Walpole proclaimed a new stylist in fiction and whose "Stash of the Marsh Country" and "The Mystic Midland" earned him considerable renown some years ago.

Auburn has achieved culture. Aeolia Heights is far above the shantied remnants of Gold Rush days, some of which still exist in the town's lowest level. Auburn is the only town along the Mother Lode thus dignified.

Its head is in the clouds and its feet in the mire of forgotten "pay dirt." All of which makes it, perhaps, the most interesting place in the mining country of upper California.

About seventeen miles northwest of Auburn, the Mother Lode comes geologically to an end at the quaint little town of Georgetown. In 1849 it was called Growlersburg because the few cheerful spirits among its original settlers were tired of the complaints of the majority—a rather fretful crew, one would imagine. One of them referred to the as yet unnamed camp as Growlersburg during a public meeting, and, like "Hangtown," the name stuck. Miners loved names like that, pointfully descriptive, insultingly candid at times. They called the camp after its growlers for a decade or more, though it was officially changed at a town meeting in 1852. It was named for George Phipps, a leading and popular citizen, following the example of a near-by camp which was called Johntown.

During the Civil War Georgetown built an armory of stone with a great iron door and no windows. But the rebels never came to Georgetown, so its ammunition remained intact. After the war it was converted into a clubhouse for the Jolly Good Fellows. It was the finest clubhouse in the mountains, and a wooden partition with two windows and an ordinary door was put over

the front. But the great iron door remained. It is closed now, for the clubhouse is vacant. One may see it through the windows.

Edwin Markham, the poet, used to teach school in Georgetown, and it is said he never spoiled a child by sparing the rod. He was county superintendent of schools from 1880 to 1884.

A couple of Georgetown's citizens were United States Senators and, what is more remarkable, one of them was a centenarian. The latter was Cornelius Cole. The mere Senator was John Conness.

Lola Montez's pet bear was once matched with a bull in a Georgetown contest that was largely attended. But it wasn't much of a contest. The bear was so frightened that he dug into the hillside and hid from the bull. That animal had to be doused with water to cool his rage and frustration and keep him from turning on the audience by way of revenge.

There was little crime in Georgetown. It was with much reluctance that the crowd hanged Mr. Devine for murdering his wife. He had a certain amount of provocation. She refused to give him a \$900 nugget which was community property when he craved a drink and had exhausted his credit at the tavern. But they couldn't condone his act. It wasn't right. So they hustled him out of the back door of the courtroom and strung him



up in an oak tree before the jury reached a verdict. Fortunately it was "Guilty."

It was one of the most sensational stories ever printed in *The Georgetown Gazette*, aside from the assassination of Lincoln. Horace W. Hulbert founded *The Gazette*. His daughter Maud took it over when she was only sixteen. She wrote the copy, set the type, "made up," solicited advertising, kept the books, and delivered the papers. She did everything but lift the forms from the composing tables and run the press. A boy did that once a week. After she married, Maud's husband helped her, and now that he is dead, her daughter is the editor. After thirty-three years Maud Horn has had enough of newspapering, not to mention being justice of the peace. This year she does not choose to run.

## CHAPTER X

### *Grass Valley and Nevada City*

UP IN THE northwestern corner of Nevada County perch the twin towns of Grass Valley and Nevada City, about four miles apart. The former is a thriving, up-to-date community with modern hotels, theaters, and stores. It has not depended solely upon mining, as was the case with its neighbor, but has developed the agricultural resources of its back country to the fullest extent and has profited thereby. Nevada City is like other purely mining towns. It has suffered from the decline of that industry, but is staging a rapid comeback, with gold at its present value. The two places, so close together, so nearly alike in fundamental interests, are as different as day and night. Nevada City makes up what it lacks in modernity by its picturesque charm, its savor of brave vanished days. And if the recent hectic race toward improvement has not obliterated all of the architectural monuments to a superbly dramatic, historically important past, it should fill the location scouts of Hollywood with joy.

For Nevada City was—and I hope still is—one of the half dozen towns in California that has changed very

little since the fifties. When I visited there a few months ago the old assay office was unaltered, across from the old Volunteer fire-engine house—though between them intruded the yellow enameled anachronism of a “No Parking” sign. One of its assay reports started a gold rush—no, a *silver* rush it was—to Virginia City, Nev. It had much to do with building the first transcontinental railway and with the later mineral glory of the West.

Not long ago Nevada City progressives were remodeling an old saloon that could furnish material for a hundred “Westerns” if its walls might be made articulate. Down the street—almost to the assay office—they were turning a magnificent old ruin into modern flats; tearing out the storied front of iron-doored, iron-shuttered stone to create a lividly cream-colored stucco façade. But, in spite of all this disturbing, sacrilegious transmutation, Nevada City is likely to retain its ancient glories for a good many years.

It was first called Deer Creek by trappers and hunters of the forties—a fine game country which no one suspected of treasure until 1849. Then came James W. Marshall, who discovered the first gold in Sutter’s Mill, and thereby acquired a fever for prospecting after an ordinary lifetime as an honest carpenter. Marshall—driven from his original find by a horde of insatiable

treasure-seekers—was journeying north with a small party of restless and unoriented spirits. When night came they rested at Deer Creek and, more perfunctorily than with any serious expectation, washed its sands for gold. The results, while not exciting, promised well.

Marshall did not stay long, but others did. In 1850 there were enough huts and tents to justify a name, a christening. Many were proposed at a citizens' meeting, but it was O. O. Blackmer's suggestion that won. "Why not Nevada?" he cried, pointing to the snow-capped peaks. It proved a popular suggestion, for Nevada means a snowy mountain in loosely translated Spanish. So the new name was adopted. Later, when the number of saloons and dancehalls had increased, when Wells-Fargo had established an express office, and a freshly built courthouse shone resplendent on the hill, it became Nevada City almost automatically.

Grass Valley, four miles west, was settled by a party of Oregonians at about the same time. It was a luxurious meadow country, and this superbly unusual herbage impressed its early settlers even more than the promise of gold.

In fact, agriculture and mining seem to have gone hand in hand from the beginning in Grass Valley's development. As early as 1850, a group of newcomers, foreseeing the necessity for feed as well as gold, fenced

in a tract of meadowland and began to raise hay. With feed at \$80 per ton and two crops a year, this venture promised well—better, in fact, than most of the mining claims then in operation. But, instead of serving as an example, the hayfield which was netting its owners \$400 per acre was invaded by prospectors who had the whole countryside to choose from. They broke down the fences, trampled the grain, and staked claims, resisting forcibly all efforts to dislodge them. And as they found enough gold among the violated grass roots to justify their claim that this was mineral land, they were permitted by law to retain it. They overran the entire hayfield, ousting the farmers, ruining their crops, and squabbling among themselves for the meager rewards of their wanton spoilation.

So insatiable and ruthless was the quest for gold that it spared no one and nothing. A storekeeper of Nevada City, aroused by the noise of picks and shovels just outside his door, discovered prospectors excavating the highway with apparently a total disregard for traffic.

"Hey! You're digging up my street!" he shouted angrily.

But the men went on. "There's no law against it," one of them retorted nonchalantly.

"Well, I'll make one, then," the merchant answered, and pulled out his gun. The excavators saw his argu-

ment and recognized its force. They gathered up their tools incontinently and departed.

The story of this episode was told throughout the mines. The merchant's wit and courage were applauded. His act—so naïve and elemental was the jurisprudence of that day—served as a precedent, as an example with the weight and power of a law, exempting public highways and domains from the encroachments of claim-seekers.

Nor was this Nevada City's only contribution to the growth of law in mining camps. On December 30, 1850, the miners of that section held a meeting and passed regulations which had the force of laws in Nevada County and which were adopted almost without change throughout the gold country. All mining claims were defined as forty by thirty feet in size, and all disputes were tried before a recorder, elected by the people, and two miners. This applied to placer claims, where gold was washed from soil or river sands. When quartz veins were discovered and mining swung toward this more stable and complex form of gold-reduction, it became necessary to amend established rules to cover the new situation.

A miners' council was convened in Nevada City, December 20, 1852. Some differences arose, but they were ironed out by a definite and far-seeing majority.

As a result of that meeting the foundation for California's and Nevada's mining laws was laid. One hundred feet were allowed each proprietor on a quartz ledge or vein, and the discoverer was entitled to an extra hundred feet, including all dips and angles of the vein. These proved the rudiments of mining law as it exists today. The rule of this council against "throwing dirt on another man's claim" anticipated by many years the famous decision of Judge Sawyer against hydraulic miners, forbidding them to "throw" or wash the soil from their properties into the public streams.

The growth of Nevada City was at first phenomenal. It bounded within a year from the log cabin of a trader to a city of 12,000 people. But this, like practically all booms, had its reaction. The region thereabouts seems to have been rich—one might say perniciously rich—in "pocket mines," or veins which, though they revealed ore of exceedingly high values, proved spotty and uncertain. In the long run they did not justify the expensive equipment installed by enthusiastic discoverers or their ill-advised and over-trusting backers. So many costly plants were set up as a result of hasty and incomplete surveys that a very general loss and ensuing business depression were the inevitable result.

One must vision a land swarming with avaricious incompetents, yearning to get rich overnight and hav-

ing little or no knowledge of their craft. Finding a few nuggets or a rich spot in some vein, they rushed to the nearest assayer. Some of these assayers were mere charlatans whose reports were compounded of guesswork and a desire to please, so that a good fee might be collected. Often assays showing thirty cents in gold to the pound, or perhaps \$150 to the ton, were returned on test samples. Thus persuaded, the owners of claims from which they were taken invested all their capital in machinery, only to discover that the mine would average from a tenth to a fiftieth of that value in the long run. Most of them, thus disillusioned, gave up in disgust. The country became a graveyard of abandoned mills, large and small.

So abysmal was the ignorance of mining and of rudimentary physics in general that the most fantastic means were employed to discover gold. Among them were such devices as "gold magnets," sold by fakers and consisting of small metal discs to be worn near the heart of the prospector. They were supposed to impart electric shocks to that organ when gold was near. Another device was a Norwegian telescope for exploring the bottoms of streams and a diving suit for similar purposes. Last but not least in this catalogue of charms was the divining-rod, which had at least the virtue of being inexpensive. It consisted of a freshly cut fork of hazel-



wood. When carried horizontally and held lightly in both hands, it was supposed to dip in the direction of a gold deposit.

The simple and credulous nature of the early gold-seekers, many of them sailors, notorious for their superstitions, and the fact that some of this hocus-pocus did occasionally lead to a gold mine through a freak of fate, kept the faith of prospectors in such nonsense alive for years. It was these men who deserted towns in droves when their charms and portents inevitably failed them at last. It was their elimination that marked the first steady growth in the mining regions.

In 1853 Nevada City began to develop more steadily, subsequent to its initial boom and slump. In 1856 its people cast the third largest vote in California. It was not until 1862, when Nevada's silver discovery turned all eyes to the neighboring territory, that the fortunes of Nevada City declined or were arrested. It had, however, in the meanwhile been eclipsed both in population and gold output by Grass Valley, whose growth, while less spectacular, had been more steady. A number of stamp mills had been established there, and several exceedingly rich mines with apparently inexhaustible veins were in active operation.

One of the first mills in the state was erected in or near Grass Valley in 1850 by a man named Wittenbach,

a German mechanic who seems to have been among the very few instructed and qualified mining engineers that came to California during the Gold Rush. He brought out a mill of the "periphery" type from the Eastern states, worked it a while in connection with a profitless mica claim on the American River, and finally set it up in Grass Valley, where it was one of the wonders of the gold fields until this same Wittenbach brought a larger and better mill of eight stamps and sixteen horsepower across the Isthmus. He installed it for Wright Brothers of Philadelphia. This also was in the Grass Valley region.

While these two plants continued to operate at a profit, they were considered more in the nature of freaks than examples of progress among miners of that day, who still adhered to the simpler, cheaper methods of placer reduction, distrusting any scheme for separating gold from rock as something mysterious and not practicable.

It was the excitement following the Gold Hill discovery by a miner named McKnight which turned the ever-fickle enthusiasms of treasure hunters to quartz mining with a rush, evoking new and disturbing situations. The old happy-go-lucky anarchy of previous days gave way to a need for law and order. This was partially met by the Mining Conclave, held in Nevada

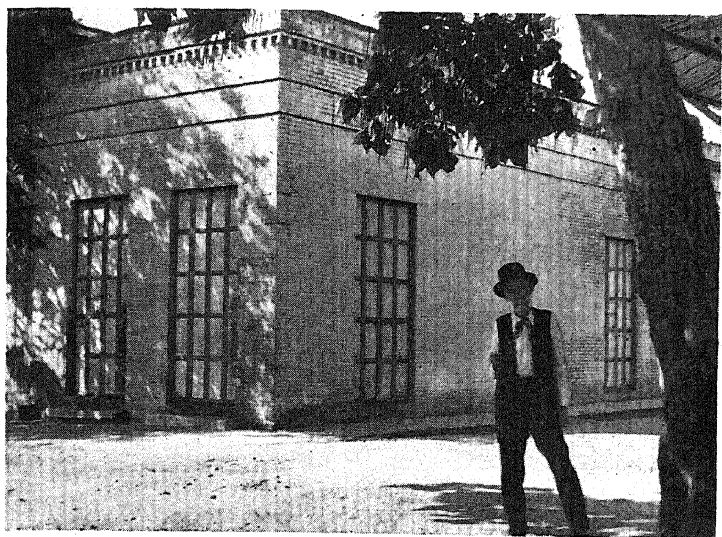
City, with its establishment of regulations to cover quartz claims, and partly by the election in Grass Valley of an alcalde and a constable.

James Walsh, known as The Judge, was given the former office by acclaim. He was the most popular and probably the most able citizen of Grass Valley at the time. In 1850 James Walsh, his father, Samuel Walsh, and a man named George Holt came to Grass Valley with its earliest settlers and built sawmills a few miles out of town, Holt's being a water mill and Walsh's a steam plant. They had scarcely completed them when they were attacked by Indians, who killed the elder Walsh with a poisoned arrow. James Walsh, armed only with a pocketknife, managed to fight his way clear of the attacking savages and arouse the other settlers, whom he led against the Indians, driving them off. He was therefore a hero and acknowledged leader, whose election was hailed with acclaim. His constable, Luther Humiston, proved himself an equally capable and popular officer.

Two years later, however, a bloody riot was narrowly averted when Americans and foreigners resident in Grass Valley held counter elections and each faction inducted its candidate to office. There seemed to be no solution but to shoot it out. But bloodshed was averted by the withdrawal of the foreign candidate.

One of Grass Valley's most important mines, and one that was for a time the richest in the state, was the Allison Ranch mine. Failing more or less as an agricultural proposition, it was turned over in part to placer mining. In 1853 the Daniell brothers, John and William, were washing a stream and uncovered an extraordinary rich ledge of gold-bearing quartz. But so strong was the prejudice against quartz or "rock" mining that they paid no attention to it. A year later Michel Colbert and James Stanton bought an interest in the Allison Ranch claim, as it was called, and the ledge was once more uncovered in the course of placer operations.

Again the rich find was ignored, though all four of the partners were excited by the presence of unusual quantities of free gold. Later, when tales of quartz bonanzas were brought to Grass Valley by wandering miners, Colbert and Stanton mined a quantity of gold-rock from the vein, but before it could be reduced a landslide covered it. They were not greatly disturbed by the circumstance. They shrugged their shoulders and continued placer mining. But Nature, it would seem, was bound to make the secret of its treasure manifest in spite of man's obtuseness. A heavy downpour washed away the loose earth of the slide as well as some of the decomposed quartz in the exhumed rock. It was "lousy" with gold. It could no longer be flouted. So the four partners



*D. O. Mills' first bank, Columbia. Pioneer druggist in foreground*



*Columbia's school-house, said to be oldest in California, is still in use*



*St. Ann's Church, Columbia, built in fifties. Looks down on valley ravaged by hydraulics*



—Courtesy Historic American Buildings Survey. Photograph by Roger Sturtevant

*Interior St. Ann's Church, showing murals painted by town cobbler and inlaid with gold-leaf from Columbia mines*

gave Con Reilly a share to work the ledge. He and another experienced rock miner rigged up a water wheel and sank a shaft about three times the length of their bodies. They had extracted \$375 from the little pile that Colbert and Stanton loosened from the vein. And from the next eighteen tons they cleaned up \$6000. By winter they had reduced sixty-two tons more and taken out almost \$30,000.

Then began an era of wild spending. Two hundred men were put to work. The six partners became nabobs. They dressed in tall hats, frock coats, and "patent-leather" boots. They bought diamond necklaces and gave them to companions of a night. They spent every nickel the mine brought them and ran into debt.

In 1866 the old equipment failed. The pumps were obsolete. Extensive improvements were needed, and nobody had any cash. So they shrugged their shoulders again and called it quits. The pumps were scrapped. The shafts filled with water. And the mine, though it was down less than 500 feet, was abandoned, its riches only scratched. And so, in spite of sporadic attempts to restore its glories, it incredibly remains.

The winter of 1852-53 was one of torrential rains in the Grass Valley region. The deep dust of the roads became a spongy succubus of mire through which few vehicles could pass. Food staples soared. Flour and

potatoes brought unheard-of prices and were finally not purchasable at all. Local food sources had not yet been developed, though some attempts had been made to raise grain and vegetables. Starvation threatened the mining camps. But even the desperation of hunger could not deprive the gold-seekers of either the naïvete or the dramatic futility which was so characteristic of certain of their acts. Compounded of such was the Hunger Convention in Grass Valley.

It was assembled at Beatty's Hotel on the call of two miners, widely known as The Judge (not to be confounded with Judge James Walsh) and Blue Coat. History relates little more that is significant concerning these men except that the former had supposedly studied law before becoming a derelict of the gold belt and that the latter, nicknamed for his one and single outer garment, a faded regimental coat with brass buttons, rejoiced in the seldom used surname of Osbourne.

At any rate, these two organized a punitive expedition of one hundred foodless and footloose men to sack the "overflowing hoards" of San Francisco's "soulless food speculators." The hopelessness of their task does not seem to have occurred to them. They were all for proceeding posthaste to the big city, several hundreds of miles distant, and helping themselves to its provisions. That they did not begin their march at once was due



only to a parliamentary quibble raised by more meticulous members of the group. These contended that a raid such as proposed was irregular and insisted that a committee be appointed to confer with San Francisco commission merchants before violent measures were resorted to. A motion to this effect was carried after argument, and the committee was appointed.

Only after all this did a sudden doubt assail one of the committeemen.

"How we goin' to git thar?" he asked.

Nobody knew the answer. Nobody had stage fare to San Francisco. None of them wanted to splash through two hundred miles of mud.

"Well," said another committee member, heavily, "I move this hyar meetin's adjourned."

Hunger was not the only misfortune suffered by Grass Valley and Nevada City. In common with most mining towns, there were disastrous fires, and it was to guard against these that the peculiarly fortified architecture of the Mother Lode was developed. Buildings were made of stone or brick, their doors and windows shuttered with iron. It was in Grass Valley, one of the first towns to institute these "fireproof" structures, that three men, through faith in their efficacy, met a horrible death.

They were warned of the approaching flames, which

had already burned a portion of the town. But they refused to leave their store. "It's fireproof," they contended doggedly. "We'll shutter the doors and windows and stay inside just to prove it."

No persuasion could move them. They retired within their brick walls, their clanking metal shutters, and their sheet-iron roof. The others fled. The flames roared around that fire-defying structure like a fury, an inferno, destroying everything inflammable and passing on. After most of the town lay in ruins, neighbors investigated. They called to the three brave men and received no answer.

Anxiously they pried the warped iron doors apart with a crowbar and entered. A strange, sickening odor greeted them. A ghastly sight met their gaze.

The trio had been roasted alive by the heat surrounding them, like a joint of meat in an oven. They were "done to a turn," as one narrator of the tale—which seems to have sufficient corroboration to be taken seriously—describes it.

This was the "million dollar fire" of 1856, perhaps the costliest in Mother Lode history. It was believed to have been incendiary, and the aroused public sentiment resulting from this suspicion almost caused the lynching of several innocent persons. One of them was a ne'er-do-well and hanger-on who, for no good reason,

aside from his general worthlessness, was under the ban of popular suspicion. He was discovered one night lighting matches near a pile of inflammable material and placed under arrest. The same Blue Coat Osbourne who sought to lead an army against San Francisco food merchants appears again to have been at the forefront, this time with a demand that the man be strung up at once. It is said that he added force to his suggestion by the argument that Nevada City—then Grass Valley's greatest and nearest rival—had once lynched a man, while Grass Valley's score in this activity was zero. But calmer and wiser minds at last secured the poor wretch a trial, at which he proved without much difficulty that he was trying to light his pipe instead of attempting to set the city afire. He was released and told to leave town.

It is related that another suspect—this time an alleged horsethief—was not so fortunate. He was hanged, and when it was later learned that some one else had stolen the horse the luckless victim's grave was decorated with a handsome headstone, bearing this *amende honorable*:

#### LYNCHED BY MISTAKE

#### THE JOKE'S ON US

A story of Grass Valley would be incomplete without a mention of Lola Montez, who was once a favorite of the King of Bavaria. He made her a baroness, but the

liaison cost him his throne. Lola fled to America, where she achieved renown as an actress by "personality" rather than histrionic ability, and became one of the most married women of her day.

When Lola retired to the Mother Lode country in 1854, after "theatrical triumphs" in San Francisco, she lived in a vine-covered cottage which is still pointed out by Grass Valleyans and advertised by chambers of commerce. She remained there for a time with her flowers and her pets, which included grizzly bears, savage dogs, and at least one husband. She divorced the husband for killing one of the bears which had clawed and bitten him. She also horsewhipped an editor, Henry W. Shipley, of the famed and fearless old *Grass Valley Telegraph*. He is said to have commented on her habits in a spirit of humorous disparagement, which Lola found displeasing. She armed herself with a lash used to discipline her bears and dogs and, locating Shipley without difficulty in his favorite "hang-out," a downtown saloon, she made him dance with her whip-lash until bystanders disarmed her. Lola died a pauper on the East Side of New York. Shipley, some time afterward, committed suicide.

Should you wonder why a cosmopolite and sophisticate like the redoubtable Lola chose to isolate herself in Grass Valley, please remember that the mining towns

of California were anything but dull. Sunday especially was a day of strange and varied scenes, for then the miners left off both their labors and their hectic hedonisms to restore their souls. Religious meetings were held in the streets, unless the preacher, during inclement weather, availed himself of the shelter of some gambling house, courteously placed at his disposal. It was on one such occasion that a gambler who had "got religion" was on the mourner's bench. Having abandoned his evil albeit profitable ways, he was down to his last remaining coins, a \$5 gold piece and a silver "two-bit" coin, the latter of which he planned to put on the collection plate. But in the excitement of his response to the revivalist's exhortations he put in the \$5 piece instead, and when he saw it passing from him he could not forbear a groan. A friend who heard his forced lament and perceived his error, sought to comfort the gambler. "It's all right, Bill," he said. "I know the preacher, and I'll get it back for you."

"Naw," said Bill, who was a sport. "You let her lay. I gave that shiner to the Lord. To hell with it."

A traveler during the early fifties describes Grass Valley on a Sunday morning. It was apparently a place of many scenes and sounds. Here was a "sky pilot" preaching to his flock, and at the Metropolis Hotel near by was an auctioneer selling a mule. Close at hand two

Swiss girls with hand-organ and tambourine had their public, dividing the crowd's attention with a wagoner selling tea, while around the corner came a sort of anvil chorus from the ever-busy blacksmith shop. A drunken sailor singing "Auld Lang Syne," completed this stirring medley.

It must have been an exciting place, Grass Valley in the fifties. I thought of all this on a certain Sunday morning not so long ago while I watched the good folk in their Sabbath best promenading sedately to church. The tall white spires of Grass Valley's churches may be seen from a hilltop below which the town lies. And beyond the steeples, against a background of tall, straight evergreen trees, across "the wash," are the chimneys of the stamp mills that have made Grass Valley what it is today. I tried to reconstruct those scenes of eighty years ago, but it was futile, so I followed the crowd to church and was amused to note that my cash consisted of a dime and a \$5 note. But I made no mistake when the collection-box was passed.

Only the very oldest of Nevada City's residents can recall the excitement which followed Johnny Stone's visit with a bagful of ore from the Comstock Lode, near Virginia City, Nev. That was in fifty-nine. But it was a great day. People were always bringing "rocks" to J. J. Ott for assaying. He knew his minerals and he

could be trusted—which was, unfortunately, not true of all the members of his craft. You could get almost any sort of an assay report if you went about it right, just as you can get expert testimony nowadays—to order. But if J. J. Ott signed your report it was final. And it was right.

Johnny Stone wasn't taking any chances. He gave Ott some of his ore and the rest he took to Melville Atwood of Grass Valley, another good man. It was check and double check for Stone. No fooling.

Hard to say what he expected. Probably not very much, though the Comstock looked like a good vein—a real find. It was a lode fifty to a hundred feet wide and three or four miles long, running north and south on the eastern slope of the Washoe Mountains. Stone thought there would be silver in it—enough to pay for mining the gold perhaps.

When he read Ott's report, Stone's eyes popped a little. He put on his "specs" to verify the figures. Then he shoved the report quietly in his pocket and walked out. He rode over to Grass Valley and asked Atwood for his report. They were almost identical.

Stone tried to keep it to himself. But he couldn't. It was too wonderful. Too crazily, fantastically good to be true. He had to find out whether he was dreaming or not.

Sixteen hundred a ton in gold. That was extraordinary enough. *But \$3196 in silver!* Judas Priest!

Melford and Hagadorn, the bankers, sent E. Head to Virginia City at once. Judge Walsh sped hot-foot after him. The air was full of rumors of the new bonanza. The Nevada City *Herald* printed the first news of the Comstock Lode. The city papers took it up. Presently the whole world knew about it. But Nevada City knew it first.

If you go there you may see the office where the Comstock's first ore was assayed. J. J. Ott is dead, but Carlos Billick carries on. He is also a good man. But it has been his fortune to start no \$80,000,000 gold or silver rushes. That is what the Comstock produced in gold—and hundreds of millions in silver.

No wonder Johnny Stone put on his "specs" when he saw that assay report.

Nevada County, which contributed much to the mining law of California and not a little to economic stability by the—sometimes extralegal—enforcement of law, harbored one of the most fantastic criminal organizations known in the mining region. It was called the Forty Thieves and indulged in many outrageous practices. One of these was to accuse, condemn, and often punish an innocent person for a crime of which one of their number was suspected—usually with cause.



If a theft had been committed and the trail was becoming too hot, several members of the Forty Thieves would cleverly manufacture a chain of false evidence pointing to some innocent stranger. And if they could not persuade their fellow miners to believe in the trumped-up charge, they sometimes held a court composed of themselves, presented the testimony in a pseudo-regular manner, and sentenced their victim to punishment by flogging. Very often it was the thief himself who wielded the whip. In 1851, at Bridgeport, an innocent miner was hanged after being "identified" as the notorious Knowles, a horsethief wanted both in Oregon and California. A strange nemesis followed the jurors in this case as well as others who took an active part in the execution of the victim. All of them died within a comparatively short time by shooting, stabbing, bludgeoning, drowning, fire, or a cholera epidemic.

Another perversion of legal forms was the judicial meeting held concerning a man named Holden. He had cultivated a piece of ground for the purpose of raising grain and vegetables, both sorely needed by the miners. Far from appreciating his effort, however, they invaded his land, ruined his growths in search of gold, and, finding none, called a meeting among themselves at which he was violently denounced. It was even sug-

gested that he be hanged, but fortunately the farce did not assume such grotesque proportions.

Rough and Ready, near Grass Valley, made history during the gold days. It was named after Zachary Taylor, known as "Old Rough and Ready" during the war with Mexico and later President of the United States.

This township, which made its own laws and was the most independent camp on the Mother Lode, at one time developed a plan to secede from the Union. But, though it did not reach the point of armed resistance to federal authority, it was taken quite seriously by its promoters.

Captain Townsend, who had served with General Taylor in the Winnebago wars, was the first settler in Rough and Ready. He built a cabin 18 by 36 feet, which served for a time as a courthouse, saloon, and gambling "parlor." Here, the judge, jury, lawyers, and other essential figures of a trial would often assemble while the games of chance were in active progress. After the witnesses were sworn and other preliminaries were arranged, "His Honor" would as a rule raise his voice and admonish the faro dealers. "Call your games low, boys," he would say mildly. "The court is now in session."

Then in modulated tones the dealers would drone, "Make your game, gents," while the trial proceeded. It

was interrupted by frequent intermissions, during which all those present in the "courtroom," including the prisoner, would walk gravely to the bar and "nominate their pizen." Sometimes between such episodes the judge would retire behind a screen to look up a "pint o' law." And it usually came out of a pint bottle on the judge's hip.

Little remains of Rough and Ready. About four miles out of Grass Valley on the road to Marysville is an old inn where one may buy soda-pop and tobacco. But in its day it was one of the liveliest and most famous of camps.

Between Nevada City and Downieville lie a number of "ghost towns," including North San Juan, through which, in the latter seventies, passed the first long-distance telephone line in the world. It was called the Ridge Telephone Company and was built in 1878 for intercommunication between the big hydraulic mining companies of that region. It spanned a distance of sixty miles between Milton and French Corral, in Sierra County, and the principal office was in North San Juan. There were twenty-two stations on the old line, which was used mostly for the operation of ditches and mines.

While a telephone line was built in 1877 between two towns in the San Francisco Bay region, the distance was less than ten miles.

## CHAPTER XI

### *Downieville*

IT WAS NEAR THE END of 1849, the great year of the Gold Rush, that prospectors who had followed the meandering course of the Yuba River into the higher altitudes reached what was known as the forks of that auriferous stream. Major William Downie was an intrepid spirit, questing forever onward, past the staked claims and placered waters of previous pioneers. He led a little band finally into Sierra County, and after many disappointments found gold where the stream divided.

When he reached the place where Downieville now stands, at the foot of a long, winding grade, the days were short and brilliant with cold; the nights long and icy. Winter had set its seal upon the defoliated forests, and the early rains had turned to flurries of snow. But these were hardy men and seasoned. They were tired but not discouraged by their long journeyings, almost out of food but not alarmed. They made camp at the forks of the Yuba. They sang that night after a scanty meal, undaunted by an almost empty provision sack; they slept soundly beside roaring fires. And they greeted the morning with a shout, though a white frost lay all about them and the stream was filmed with ice. For

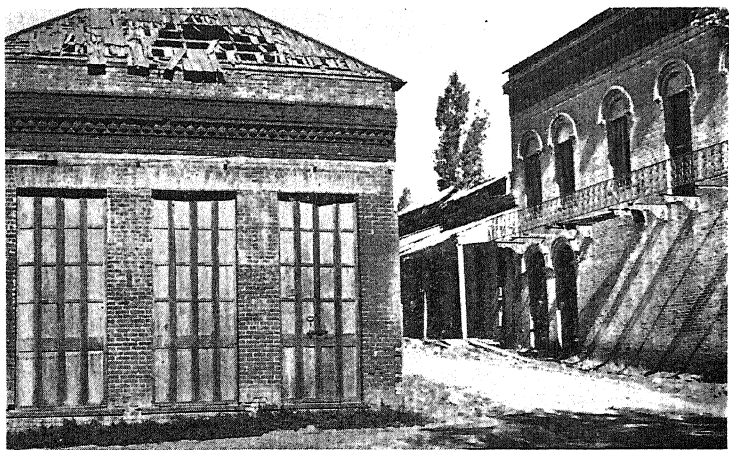
they knew by the gold grains and nuggets in their pans from the previous afternoon that the long-sought treasure was theirs; not a sensational gold find but a goodly one. They knew they should have time to develop and reap the riches of this stream before the gold-mad horde would follow and before the deep snows interfered. So they went to work earnestly, steadily. By February, when the crowd had learned about their find and followed, the little pioneer group had made a clean-up and staked valuable quartz claims. They welcomed the newcomers, and the quickly gathering settlement almost immediately became a town, laid out in streets by James Vineyard, an engineer, and governed by competent officials. A meeting was held to determine a name for the new place, and by popular acclaim it was called after Major Downie, who discovered it.

Thus Downieville, by some quirk of fate, escaped many of the intermediate stages between location and orderly establishment. It sprang almost full-armed into civic being, and despite a disastrous fire during its third year of existence it continued to grow and progress until it became one of the most important of the more northerly gold centers.

In 1853, two days after the big fire, James McNulty opened the St. Charles Hotel, a pleasant, rambling, verandahed structure. Today, except for electric lights—

which burn only at night, for the current is turned off at daylight—and a few improvements in plumbing, it remains exactly as it was that momentous Washington's Birthday when, believe it or not, the St. Charles dining-room took in \$2600 for meals. In its old bar-room, deserted for the most part during the period of prohibition, hang the same old paintings of nude ladies which engaged the sentimental fancies of early miners. And under its arcade, seated in a chair probably older than myself, I listened to a nonogenarian prospector who still hopes to uncover the lost vein of Bald Mountain. He related a story of crime and punishment that occurred half a century ago.

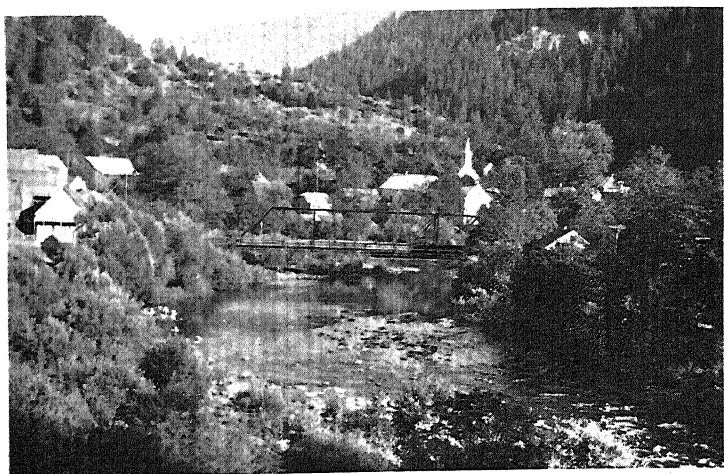
You may see the old county gallows by crossing a bridge and climbing a steep hill to the courthouse. Back of this quaint edifice, which disputes with Mariposa the claim of being the first of its kind in the mining region, stands the execution platform, painted a pleasant green and surrounded by trees. It has not been used since 1885, for after that year the state undertook the grim duty of capital punishment. But as I gazed at it the following day I seemed to behold the wraith of a young miner, once a popular citizen of Downieville, paying the penalty of a crime to prove which a Wells-Fargo detective chased him half around the world and back again.



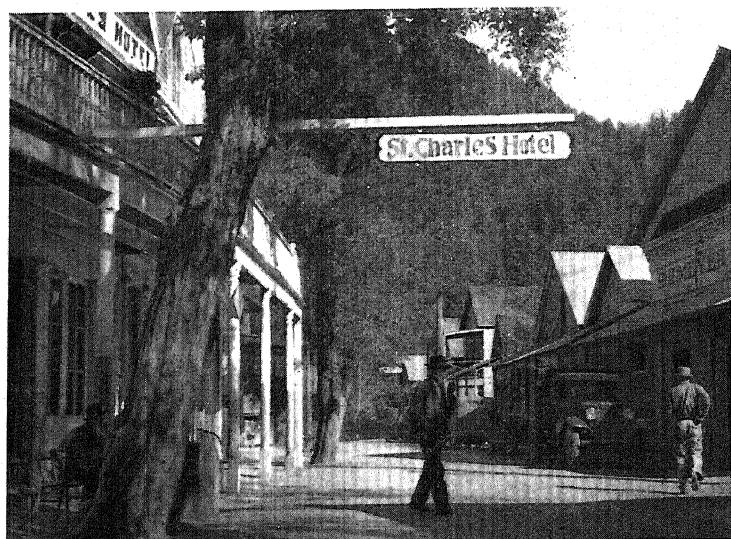
*Business center of San Juan, once a famous Mother Lode camp, where first long-distance telephone line was built*



*Mother Lode art from St. Francis Hotel, Camptonville, which is filled with such treasures*



*Downieville, showing bridge from which woman was hanged in 1851*



*Main Street, Downieville, and famous St. Charles Hotel, built in 1853*



The Old-Timer considered it commonplace enough. He apologized, "Them wild days, they was all so long ago, I can't remember. But I do recall that there was a stage robbed some time in the eighties and a passenger was shot to death. There was a lot of gold aboard, and them there fellers must've hearn about it.

"Anyways, they stopped the stage not far from here and lined up all the passengers. They shelled out. But the robbers wasn't after chicken-feed. They knowed there was a heavy satchel full of gold bars somewheres on the stage, and finally they found it. The man that owned it, he began to argue with them. Finally he fought them for it, and one of the road agents up and shot the man dead."

He shook his head. "It turned out later that they was two boys what lived here—right in Downieville. No one ever thought they was the robber-kind. They seemed to be nice, pleasant-spoken lads. But they'd been disappointed in their claim. And they was sort of desperate, I reckon, as it afterward turned out."

He went on in his half-apologetic monotone to unfold a tale that many a fiction-writer would have haled with glee.\* No one in Downieville suspected the young

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\*This tale, though told in apparent good faith, is uncorroborated. Months after it was related to me a fiction story with an almost identical plot appeared in a leading magazine. I wrote to the author, asking the source. He replied that it was purely imaginative.

men, it seems. They went about their ways as usual for a time. Finally, as other disappointed ones had done before, they left the town. To all intents and purposes they vanished. But a detective followed them. He had little or nothing to justify his suspicions, but he kept on their trail until they reached South Africa. There they prospected for gold, and at last staked a claim. Contrary to general opinion, they appeared to have struck "pay dirt."

Daily they took gold dust to the bank. Daily the detective hovered, watching, analyzing. He posed as a "low-down white" and became friendly with the boys. Sometimes he helped them with their "clean-ups." They fed him now and then or gave him small sums to pay for his lodgings, but they gave him no confidences, as he had hoped.

Months went by and the young miners at last abandoned their claim. It was worked out, they said. Rather oddly it had yielded them a fortune almost identical in value with that of the gold bars stolen from the stage coach. They took ship for America, and the detective did likewise, choosing, however, another vessel. When all three were once more on American soil, the detective acted. He arrested them on charges of robbery and murder.

He proved that they had reduced the stolen gold bars

to dust. With this fine gold they nightly "salted" their claim, retrieving it in the sight of all by daylight as apparently virgin gold. It looked like a water-tight scheme. But they had been a bit careless once or twice. Some of the gold had not been made fine enough. It revealed, under a microscope, fragments of the lettering which had identified the original bars.

"The one what killed the banker, he admitted it," concluded my Old-Timer. "He cleared his partner of the murder. He was hung up thar." He gestured toward the gallows-hill.

"They hanged a woman once. They put a rope around her neck and pushed her off a bridge. There wasn't any gallows then. It was 'way back—let's see—in fifty-one. They hadn't ought to've done it. No, sir. It was wrong."

I made further inquiry concerning that event so long ago. But I learned nothing of its detail. People didn't know or wouldn't tell me of the deed that "hadn't ought to" have been done. I found the story in a reference book in San Francisco's public library.

It happened in 1851 and the woman was known as Juanita. Her family name has not been handed down in history. She was fairly young and personable. With her paramour, a young Mexican, she lived quietly enough in the foreign quarter. It is said that Juanita ran a

monte table, but, if so, it was apparently for the custom of her countrymen.

Just why Juanita was unpopular in Downieville is not clear. Perhaps she was not humble enough for a "greaser." Perhaps she had repulsed too many amorous young swains among the American miners. Whatever may have been the reason, unpopular she was. And in the whole of Sierra County there was no more beloved roisterer than young Jack Cannon, whom she did to death. Otherwise what happened could not have happened in an American mining town.

July Fourth had been celebrated with unusual vehemence in Downieville. John B. Weller, a noted orator, had spoken in the square amid loud plaudits. The town was full of visitors. There were fireworks. The day ended gloriously.

It ended much too soon for the young men, among whom was Jack Cannon, in from the mines. He suggested that they go about knocking on doors, presumably to rouse and salute sleeping occupants. And, though it was midnight, the town dark and even the saloons ready to close, his idea was applauded.

Most of the people wakened from their slumbers took it as a joke. A few resented it. Among them was Juanita. She expressed her opinion fluently concerning such practices and those who indulged in them.

Jack Cannon's laughing mood changed suddenly to anger. He called Juanita a name that only a prostitute of the lowest type would brook. Her Mexican mate stood by and said nothing. Perhaps he did not understand; or, possibly, he understood too well the futility of active resentment. But Juanita, with one fiery glance at her traducer, ran into the house. When she presently reappeared, Cannon still stood in the open doorway. She came up to him slowly, one hand behind her back, but he seems to have suspected nothing. Suddenly the hidden hand came forth and in it flashed a knife. Some one cried a warning, but it was too late. She sank the steel in Cannon's breast, and he fell, dying, at her feet.

A roar of horrified indignation came from the crowd. Juanita fled. They followed and she sought shelter in Craycroft's saloon near by, whose proprietor tried to defend her. But the crowd overpowered him and took her to the Square. Upon the speakers' platform, still gay with its bunting and flowers, they dragged her. Around it half the town had already gathered, despite the hour, so fast does bad news travel. And there, with Jack Cannon's body lying in full view, they tried Juanita before an impromptu judge and jury and condemned her to death. So bitter was the feeling against her that a clergyman who tried to prevent her execution was threatened and manhandled and later had to leave

town. A rope was brought and eager hands placed it about Juanita's neck. She was taken to Jersey Bridge, the first to span the Yuba at this point, and pushed onto an improvised scaffold hastily erected.

It is written that Juanita remained calm and scornful of her persecutors to the last. Her body twitched for a time after the "drop" fell. But death seemed to come quickly. Her body dangled, a tragic and gruesome spectacle, just above the water, swinging gently in the early morning breezes until it was cut down at daylight.

One must not judge Downieville's attitude toward women by this passionate mistake. It was far from representative. When the first woman came to that town, she was seen at the head of the long winding grade by which one approached Downieville. Its citizens streamed up toward her as a gesture of homage and welcome. They met and surrounded her, forming a cordon of honor until she was finally domiciled. They gave her, as it were, the golden key, and were her servants to command until at last she chose one of them for a mate and settled down amongst them.

When Signora Elise Biscaccianti, a distinguished musician, came to Downieville to play, women were still rare enough to make her visit a signal occasion. It is related that when the welcoming committee of boisterously worshipful citizens noted her approach they met

her half-way down the grade and *carried not only the signora but her piano on their shoulders* into town.

There is a companion story to the above in a legend that the first woman to enter Canon Creek was carried into that enterprising camp *seated on her mule*. Whether true or not, it was easily possible in those fantastically sentimental days.

But there is the well-authenticated tale of still another woman who came to Downieville at a later date. Her fare was paid from Marysville by a generous and credulous hotel-keeper to whom she confided the fact that she was "broke" but had a cousin in Downieville who would aid her in opening a restaurant. Without hesitation the Marysville boniface "forked out." He did that more or less constantly, and never expected to see either this woman or his money again. But after a month she returned and paid him. She related an extraordinary story of being installed in a cook-tent and making a fairly good living until one day, in sweeping out the uncovered floor of her "dining-room" she noticed glittering particles among the dirt gathered up by her broom.

"It was gold," she informed her benefactor. "And now I have a mine. I don't have to slave over a stove any more."

This story, too, is matched by the tale of a funeral-at

Carson's Creek in the late forties. The clergyman, praying with closed eyes beside the grave, was aroused by loud shouts and discovered the mourners pawing the dirt excavated from the open hole intended for the coffin. He joined them curiously and mingled his shouts with theirs, for the loose earth was rich with gold-dust and nuggets of considerable size. The corpse and the last sad rites were forgotten while picks and shovels were brought into play. Claims were staked out by all present. Later the body was unceremoniously interred at a distant spot.

Wandering minstrels found ready suppers for their songs and tunes in the sentimentally hospitable camps and towns of Sierra County. And many a dirty, ragged miner turned out to be a fine musician when, after a good meal and a drink, his fingers wandered over the keys of some barroom piano. He was always welcome and usually beloved for his talents. By employing them for the entertainment of miners he might remain indefinitely without cost.

At Camptonville, twenty-two miles from Downieville, stands a friendly little hotel, approached by as villainous a stretch of road as ever chewed up a tire or broke a spring. But under its roof one finds repayment in sincere hospitality and the best of home-cooked meals. This unique hostelry boasts even more unusual attrac-



tions, for within its walls for many a month labored an itinerant artist named George Taylor. He painted picture after picture "out of his mind," as the landlady will assure you. Pictures he had never seen; of Indians hunting their prey with bows and arrows; tigers burning bright in distant jungles, and Esquimaux in their igloos amid the ice wastes and polar seas of the Far North.

It chanced to be the golden wedding anniversary year of the proprietor, since deceased, and his wife, who still runs the hotel. They bought expensive, highly ornamental frames for all these paintings, which now hang proudly on the walls of dining-room, office, and parlor. As long as Taylor painted he was happy. But at length all the wall space was hung with his pictures. After taking thought, he began on the wainscot, painting directly on the wood. He covered the rooms with murals, mostly floral decorations. This accomplished, he transferred his talents to the ceilings.

Five months had now elapsed, and every inch of space except the floors had been embellished. Taylor languished, sulked, and took to drink. His work was done and life lacked zest. He tried to resurrect it by designing sofa pillows, but the artistic heart of him rebelled at such a task. Morbid and irascible he stalked about, venting his spleen on all who crossed his path, including guests of the hotel.

"At last I had to tell him," said the gentle lady who presides in this hotel. "I had to tell him that he'd have to quit his drinking or go. I'll never forget the look that came over his face. He said, 'My friend, I might quit eating, but I can't quit drinking.' With that he turned and left us, and we've never seen him since."

But Taylor's work lives on. A specimen of it is among the illustrations in this volume. While the Francis Hotel of Camptonville stands, a permanent museum of his work will remain for all to view and marvel at while passing through the mining country of California.

In Downieville is published *The Mountain Messenger*, now in its eighty-first year. It is one of the few remaining newspapers in the mining regions that retain a flavor of the old days when quaint homespun humor, genuine literary quality, and an extraordinary candor of expression were the keynote of journalism. It is published almost opposite the old courthouse and a stone's throw from its now disused gallows. The *Messenger* plant is a shingled two-story house with a lean-to in which was installed recently a linotype machine. In the main building is the newspaper and job printing press, with its type cases, composing stone, and appurtenances, while the upper floor is a storeroom for paper. In front of its gate and tiny yard was piled a load of

cord-wood, which some subscriber, no doubt, had delivered to pay for his subscription. On the *Messenger's* front page, when I visited Downieville, was the following item:

#### ORPHAN RATTLESNAKE NEEDS WINTER HOME

WANTED—A home for one small timber rattlesnake. This wanderer, apparently an orphan and said to be the first to make its appearance within the town limits for some years, is guaranteed to be of a lovable disposition and particularly fond of human companionship, attaching itself to anyone who sticks a finger in the box.

The snake was found and captured by Kenneth Latta while working on his new house on Pearl Street, and it is being kept in a box awaiting more permanent and suitable quarters.

In Sierra County are still to be found—though not on the main-traveled routes—a few of those terrifying mountain roads on one side of which rises a perpendicular wall of granite while on the other yawns a precipitous, sheer descent of perhaps a thousand feet. On one of these—that which leads to Allegheny, I believe—the classic episode of Bill Liddle, Kate the Mule, and Alcalde John Spruce occurred in 1849.

Bill Liddle drove a pack train of eight large American mules, and the leader was Kate, an animal of such extraordinary intelligence that Bill used to talk to her as he did to humans. He believed her to be the reincar-

nation of that wild and invincible woman, Catherine the Great.

In the spring of '49, Bill drove his pack train, heavily loaded and led by Kate, up a mountain trail barely broad enough for the animals with their wide overhang. He rode, as usual, at the end. They had proceeded about a quarter of a mile when a loud, warning bray from Kate caused him to look up, and he perceived that the road was disputed by another and larger pack train bound in the opposite direction. Bill shouted to the driver to stop, which he did.

"Ye'll have to unload and turn 'round," yelled the other driver. "It's two miles back t'other end and ye've only a few hundred yards."

"That's true," said Bill, who recognized the justice of this argument. "But I cain't do it, stranger. Them animiles o' mine is loaded too heavy to turn and there ain't no room to unload. I'm downright sorry, stranger, but ye'll have to unload yer own and turn back."

"I'll be damned if I do," said the second driver. "I'm too infernal tired to unload, and I'm two-thirds of the way or more. Look out fer yerself, stranger. I'm a-goin' through."

He cracked a whip over his leader. "Giddap, yo' mule," he yelled. "An' keep the inside. It's your'n. Crowd 'em off if they won't give over."

The leader hesitated, but under a furious cursing and lashing finally advanced. Kate, however, was not to be crowded into the abyss. Leaning close to the wall she fell on her knees, and the other mule, trying to struggle past her, was forced over the edge.

"Stand fast, Kate! That's the girl!" Bill cried admiringly. The other driver cracked his whip and bellowed, trying to stampede his pack into the kneeling mule, which, with her broad, heavy pack, made an insurmountable obstacle. Four times more he drove his mules against her, and four additional animals from his train went hurtling over the edge. Then he gave in. "All right, I'll unpack," he said with an oath. "I'll go back. But when we get off this damned trail, you and me'll settle things."

"I'm willing," Bill said quietly.

So the lighter packed, smaller mules were unloaded, and the second train faced about, followed by Kate and Bill. At the end of the narrow ledge Bill, who had examined his revolver and bowie knife en route and found them ready for business, announced that he was willing to settle matters in any fashion that suited his opponent. But the latter, after sizing Bill up, suggested that they submit their differences to the nearest Alcalde. Bill agreed, and they rode on, amiably conversing while their mules grazed contentedly in a mountain meadow.

Alcalde John Spruce was rather a famous lawgiver in those parts. He had been for some years on the Sacramento River, where legends of his homespun and direct justice still lingered. And at present he was sinking a shaft on his claim near Meyer's store. The two men found the shaft after some difficulty and hallooed to the Alcalde.

"Hey, come up, yer 'onner," Bill yelled down the shaft. He could just make out the old man working furiously, filling a bucket attached to a windlass which his partner would presently haul to the surface and empty before letting it down again.

"I hain't got time, boys," said Alcalde Spruce. "Besides, there ain't no call to do it. This yere's just as good as any place. You lay down on yer bellies and I'll set yere on my bucket while ye state yer case."

"Joe!" he shouted to his partner. "Go an' git my Bible and give these yere fellers the oath."

So Liddle and the other driver "kissed the book" and lay, face downward, shouting the details of their case to "The Court." The other man spoke first. He declared that Bill had declined to "give over," though he (the plaintiff) was "all but a step of the way" and Bill was "jest startin'." He asked damages of six hundred dollars—a hundred for each mule forced over the cliff and an extra hundred for the five pack-saddles.

It looked like a winning argument until Bill explained the situation. The Alcalde nodded and spat. "I know that cussed road," he said. "I know it well. I find fer the defendant and dismiss the case. You," he pointed at the plaintiff, "lost yer mules on account of yer own pig-headedness. I fine ye the costs, which is an ounce of gold dust. Ye can weigh it out an' leave it as ye pass by Meyer's store."

He rose and began to fill his bucket, while the two litigants proceeded to Meyer's. There the plaintiff left an ounce of dust for the court; and the defendant, after standing the drinks, bought a bottle of Meyer's best whisky for the Alcalde. Then the two drivers rejoined their mules, shook hands, and went their ways.

## CHAPTER XII

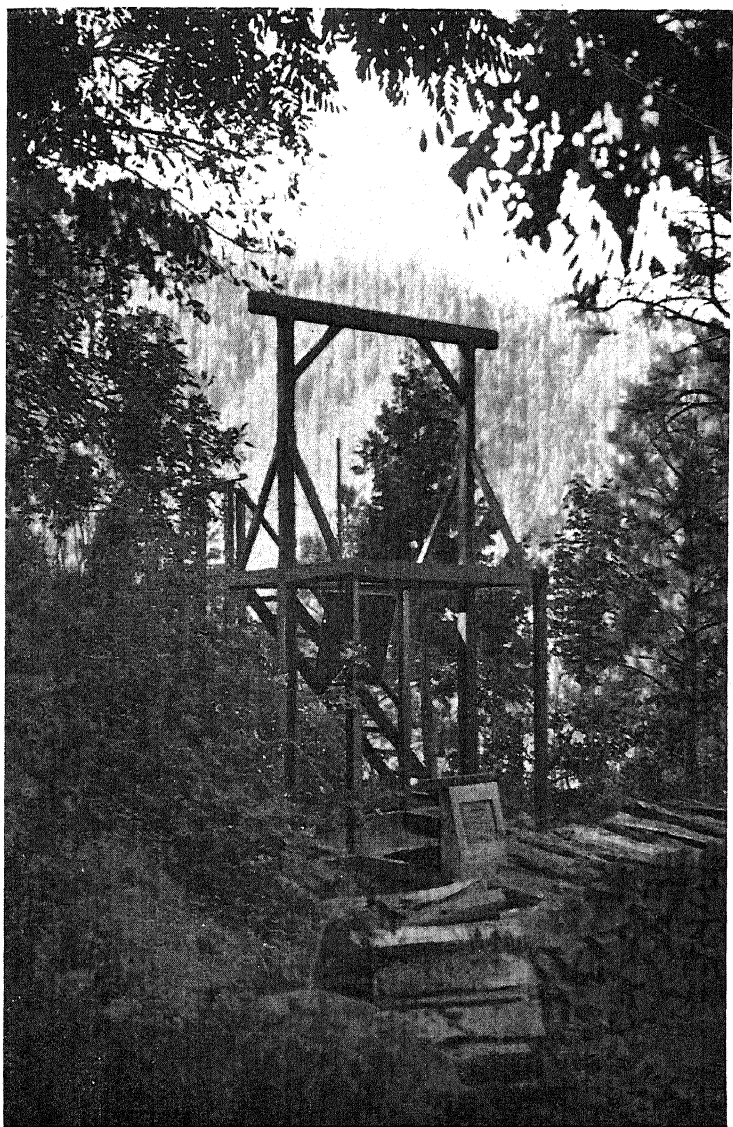
### *La Porte and Marysville*

FAR TO THE NORTH of cities and populous country lies what is left of La Porte, almost hidden from view in the fastness of Plumas County. It is remote from trains and the traffic of main-traveled roads, among Christmas-tree pines and high mountainous slopes where the winter snows lie deep enough to bury men and strong enough to bear horses shod with snowshoes. It was once the gateway to superlatively rich placer mines, the center of a famous gold region which is making an effort to revive. But now it is a cluster of houses, a few stores and a hotel, which has several times been burned and rebuilt.

To La Porte a motor stage runs when the passes are clear of snow. It was, until a few years ago, the route of perhaps the last horse-drawn stage in the mining regions, and Dan Boland, who gave up his four steeds with disgust to handle a steering wheel after twenty-five years of driving, still tools a sleigh over the passes of the Coast Range in winter.

It was before he used gasoline that I drove with Dan over the roads where Black Bart held up stages in the seventies to La Porte. And it was there I met the Major,





*County Gallows, Downieville, where executions took place until 1885*



*Dan Boland, veteran stage driver between Marysville and La Porte*

who told me lurid tales of Plumas County's glory when the giant nozzles of the hydraulics washed away eight times as much soil in the quest of gold as engineers excavated to build the Panama Canal. I frankly didn't believe it, but the State Mineralogist's office at San Francisco confirmed his statement.

However, that is another story—with its legal processes and fights between farmers and miners. In La Porte I walked down a gully as desolate and barren as anything I can imagine. It had once been a fertile "wash," or ravine, but the hydraulics had swept it bare of every green or living thing four decades ago. It was a skeleton landscape. The bones of Mother Nature lay stark and white in the sun—huge boulders piled and strewn as the merciless waters had left them; not a blade of grass nor even a pinch of soil between them.

That evening the Major's yarns did not thrill me as they might have. They were true, without doubt—at least "foundered on fact," as a friend of his whimsically put it—but I had heard their duplicates related of other places. Certain episodes were common to most mining towns; destructive fires and the enterprise of saloon-keepers, who miraculously commandeered two barrels, a plank to lay across them, and a fresh or salvaged stock of liquor—appearing phoenixlike upon the smouldering ruins to resume a scarcely interrupted trade.

The Major told me, too, a gruesome tale of shots at dawn; of a Mexican staggering out of a dancehall, a hatchet sticking between his shoulders, and dragging under each arm a wounded companion. He told me of a lawyer who was gentle as a lamb when sober, but who insisted in shooting the ash off people's cigars and cigarettes when the drink was upon him. He never missed his mark, though he admitted having "spoiled many a Chinaman learning the trick." Another tale concerned a certain bad man who had been to college, who was most polite to women, and who wore his hair long because in years past a "destroying angel" had shot off his left ear as he was hurriedly leaving Salt Lake City.

Such tales are plentiful. One learns to listen politely rather than credulously. But I needed no garrulous majors to sense the drama of La Porte. It was all about me in the ravaged canyons, the green-timbered hills, the quaint old habitations, ghostly but by no means inarticulate. There was, for instance, old Charley Hendel's place on the poplar-grown hill just back of the La Porte Hotel. Charley was ninety-four, they told me. He himself admitted to four score and ten. But he was as active as a chipmunk. He had been a mining surveyor since time immemorial, and his strange sprawling domicile was full of musty maps and records. One wing was

decidedly Byzantine. It used, he told me, to serve as the Masonic temple of a neighboring town—a town that was no more. And a one-story building with racks along one wall had been the barber-shop.

“I bought them both at an auction,” he told me, chuckling proudly, “and moved them over here. I needed more room for my records.”

Charley is dead now, and his cherished records are no doubt destroyed. I was told even then, in whispers—for Charley had sharp ears and a sharper tongue—that they were 90 per cent worthless. But to him they represented history, embalmed; history which, denuded of dry verbiage and nonessentials, might have made stirring drama.

Not far from La Porte lies Poker Flat, whose outcasts were immortalized by Bret Harte. Remote from the beaten track—even more remote than La Porte itself, Poker Flat lies on a road which few motorists would attempt. And there is little to see when one arrives. Only a store or two, a few scattered homes. Poker Flat recks little of the man who made it famous.\* Of an old-timer sunning himself on a bench I asked expectantly, “Do you remember Bret Harte?” But he shook his head and gave me a puzzled glance as he spat in the dust. “I guess you mean Steinhart,” he answered.

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\*There are two Poker Flats. The second is in Calaveras County.

Yet Poker Flat was an important camp in the fifties when Bret Harte was an express messenger in Northern California. In 1852 its mines produced \$700,000 worth of gold bullion within a single month and celebrated the event by a general orgy which ended in the hanging of three men. That was too much for even Poker Flat. Thereupon occurred the spasm of public virtue which caused the banishment of many disreputable characters and which gave Bret Harte the background for his picture of "The Outcasts of Poker Flat."

A traveler there some thirty years ago tells of a graveyard where the high and low among the town's citizenry repose democratically side by side. Many of them died with their boots on and were laid to rest with a Bible reading by Charlie Pond, a professional gambler.

In 1856 Poker Flat boasted a population of two thousand. Evidently they liked entertainment and were prosperous enough to pay well for it. When a traveling circus came to town it is recorded that 1500 tickets were sold at \$20 apiece.

At Port Wine and St. Louis are the ruins of once lordly buildings, some of them supported by props. Even the inhabitants do not seem to know whom or what they housed with their granite-block fronts, their iron-shuttered doors and windows. A jail, perhaps; or a dancehall; an express office or a hotel.

In Howland Flat, a little farther on and almost at the top of the grade, is a mine that has been operated during more recent years at a profit. For a long time it lay fallow, and the people thereabout, who had for the most part been dependent upon it, existed as best they might. The young and enterprising engineer who at last reopened that mine had a curious experience the first time he drove his high-powered car to Howland Flat. He told me that women and children hid behind bushes and trees as his machine roared into town, as though he were the devil himself.

"It was a long time before they would come out and touch my 'fire-wagon,' " he said. "But at last one ventured, and then they all came piling after, asking questions. They had never seen an automobile before."

After a time I rode back with Dan Boland, over the mountain passes and through Strawberry Valley, where many a tumble-down cottage, overgrown with wild azalea, told of better days. Incidentally one finds this fragile, lovely white flower growing profusely alongside the roads of Yuba and neighboring counties, its green and white in startling contrast to the iron-oxide red of the soil. And it is the bane of shepherds in summer, for it poisons their sheep. It seems to exercise a strange fascination for the animals; they devour it whenever they can, in spite of close watching, and thereupon die

of a kind of bloat. We met several large herds of sheep on our way down from La Porte. Gray, moving tides they seemed in the haze of dust they raised, and the stage drew aside to let them pass, bleating and milling about the wheels while dogs barked and mounted drovers shouted them along. Hundreds, I was told, had died that year from eating wild azalea.

In Yuba County the mountain homes are cared for, tenanted by sturdy men and women. Dusk was approaching as we drove along, and the men of the households were seated on their stoops or front porches. They were for the most part tall and lanky fellows, usually clean-shaven, for the modern Californian mountaineer has outgrown beards. Their gaze was curiously direct and unwavering. They eyed us speculatively but friendly-wise, each with a rifle across his knees as though he had just returned from the hunt—for it was deer season, and always a hound somewhere by. They hailed the stage as it passed, calling a salute to Dan, who responded with a laconic gesture, half-bored, half-automatic. He had been doing it for a quarter of a century to these men and their fathers.

I asked him about Black Bart, and he said that was before his time. There were all sorts of rumors about the famous robber—legends and traditions; one that he had been wounded in the arm by an express messenger,



but escaped none the less with his spoil. All agreed that he had never fired a shot, and it was believed that the gun with which he held up stages was unloaded.

The American House, an old hotel we had passed that day, was his favorite hostelry, men said. There he had mingled sometimes with posses hunting for him, unsuspected and discussing with interest the possibility of his own capture. But Dan had never seen Black Bart.

I learned, however, of a mountain feud and its strange, humane ending. It was told of two elderly men, long residents of Yuba County. They had been friends for many years before some trivial quarrel made them enemies. Each swore he would shoot the other on sight. But they were not near neighbors. Many months went by without their meeting.

At last the elder of the two—he had been taunted by the other's friends—went gunning for his former crony. He sent word that he was coming—and he came. He paused before the foeman's door and called a challenge. It remained unanswered.

Slowly, rifle at a cock, he strode up to the house, mounted the steps and paused upon the threshold of the open door. He peered in. Then he put the hammer of his rifle down and entered boldly. On a cot his enemy lay tossing, babbling fevered incoherencies.

"And what do ye reckon he done?" asked my in-

formant. "Doggoned if that crazy fool didn't stay and nurse the other feller. He'd 've died like as not without that nursin'. He was an old bach that lived by hisself.

"Yes, sir, he stayed and nursed that man he'd come to kill. He cooked for him and washed his clothes. He fed the hound, the hogs, and chickens till the other come around and got his stren'th back again——"

"And then, what?" I couldn't help asking.

"And then," said the mountaineer, solemnly, "he picked up his gun and lef'. And from the door, as he went out, he says, 'Look out for yerself, ye old so-and-so! If ever I ketch ye over my way, danged if I don't fill ye full o' lead.' "

That was one story I believed without question. Absurd as it sounds, it rings true to mountain character.

Dan Boland dropped me for the night at Brownsville, where Mrs. H. kept and I believe still keeps a summer resort. She was then in her late fifties, I fancy, and renowned far and wide as a cook. She deserved it. Her table always disturbed one. It seemed impossible to sample all the many tempting dishes with which it was spread; and it seemed a sacrilege to miss any one of them.

Her husband, known as Major H., I believe, had been a sign painter. Now he cultivated the fine arts between spells of mining. She never knew at meal times

whether to send her youngest out into the fields to look for a man with an easel painting landscapes or to the claim in search of a man crushing ore. But Audrey generally knew. He would watch his father departing and would know whether he had a paint-box and easel or mining tools.

The mine had only rudimentary equipment, but it was a valuable prospect. He sold it afterward for \$10,000, and it was worth much more, as subsequent developments proved.

They had many sons and daughters, Mr. and Mrs. H. On Sundays there was usually a gathering of the clans—progeny, in-laws, and grandchildren—about a score of them all told. Most of the men were mighty hunters and there were feasts of venison in season. Mrs. H. pickled the venison “jerky,” which is bits of meat dried in the sun. And it was something to write home about, long after the deer season closed. One of the sons was ambitious. He was already a school teacher, but he wanted to be a doctor. And he became one finally. I visited him and his wife in Marysville not long ago and heard a strange tale.

Old Mr. H. by this time was dead. But before dying he had exacted from his wife an almost unbelievable promise.

He was to be buried on the hillside back of the home

in which he had lived so long, back of the little cabins where tourists were housed in summer; on the hillside where one could look far down into the valley and where the old gentleman had painted many a picture of the countryside he loved so well. So far, so good. No harm in that, you will say. But, believe it or not, the dying man made his wife promise to come there each midnight. Why midnight no one knows, unless his mind was wandering. But such was the covenant to which he bound her. She must climb the hill each night and visit him, "talk" to him. On that he insisted, as he slipped into the Vale of Death.

And, what is more incredible still, she did. She does, unless her children have stopped that senseless quixotic fidelity of hers.

"She isn't as young as she used to be," said the doctor's wife, shaking her head. "And the snow is deep up there in winter. She made them dig a path to the grave, and each night she goes up. It's a shame."

Here is another one for Mr. Ripley: This old lady, now white-haired and well over sixty, lives there on the old place *with her mother!*

"Charley's grandma is quite spry," said the doctor's wife. "We had a reunion not long ago, and there were five generations of the family. What do you think of that?"

At the foot of the long, twisting grade from La Porte lies Marysville on the broad flanks of the Yuba River. Once it was the third largest city in California. There the big dredgers scooped gold-laden sands from the river bed, and near there, where the famous Marysville Buttes sentinel the plain, the detritus washed from northern hydraulic mines piled up twenty-five and thirty feet in places, causing the rivers to overflow the orchards and farm lands. Marysville's early history was turbulent with feuds—its citizens against the cattle thieves, the claim-jumpers, and squatters.

Once Marysville was merely a corner of John A. Sutter's great domain. But as early as 1851 it was an incorporated city, regimented and established, with steamship service to Sacramento and San Francisco, when many of the other gold settlements were mere tented camps. It was first distinguished as a trading post called New Mecklenburg and leased from the Swiss land-baron by Theodore Cardua, whose two adobe houses provided him with a domicile and a stopping place for hunters and trappers. But in 1848 Charles Covillaud, young, ambitious, and with a pretty wife to whom he had been recently married, perceived a commercial future there. He bought a half interest in the lease. Three months later his two brothers-in-law bought the other half. They opened a general store un-

der the name of Covillaud & Co., which, from the beginning prospered. It was the first year of the Gold Rush. Almost at once settlers came. They took subleases from Covillaud & Co., or they bought supplies and journeyed on. Soon the new town rivaled Vernon, a bustling but mercurial settlement at the mouth of the Feather River. Presently it took over most of Vernon's business, and the other town, gradually abandoned by its inhabitants, passed from sight.

Covillaud named the new town, temporarily rechristened Yubaville, after his wife, Mary. He was the father and she the godmother of Marysville, but its genius was a youth named Stephen J. Field, the first agent for Covillaud & Co.

He came to the brawling young town in 1849, a traveler seeking his fortune. He was what we call now a go-getter. He got himself a job with Covillaud on the day of his arrival, and three days later he was elected Alcalde, or Mayor, of the place. He went to work most earnestly at both of his jobs. He straightened out the legal tangle of Covillaud's land-tenure, negotiating with Sutter and changing the lease to a deed, so that his employer became the owner of the land on which Marysville stood and was able to sell outright instead of subletting to his tenants. This was a wise move, for the land laws of California were in a chaotic state, and

squatters' rights constituted a serious menace to all whose titles were not clear.

Having cleared Covillaud's land, Alcalde Field turned his attention to the squatters, those impudent usurpers of vested rights who sometimes required force and law combined to move them. Field employed both and achieved what was deemed an impossible task. He next organized posses to fight and drive off the cattle-thieves who infested a countryside engaged in stock-raising. In this he was also successful, though only after a bitter and persistent warfare. Marysville became known as a model city, a prosperous and decent place to live or trade. Everyone praised (or cursed) Field's enterprise. But he had only begun.

Two years later, having made his city one of the best in the state, Field transferred his energies to the Legislature. There he was largely instrumental in framing the California codes and statutes. What was known as the Practice Act is attributed to him, and legend declares such was the faith men had in Field that it was never read in legislative session except by title, its six hundred sections being adopted under a suspension of rules. It was signed by the Governor in an equally informal manner. He asked Field, "Is the thing all right?" and Field said, "Yes, your excellency." Whereupon the Governor affixed his signature.

One might deduce from the foregoing that Field was destined to go far. He did. He had cleaned up Marysville and helped to write the laws of his state. By that time he had his eyes on Congress. Another candidate named Moore assailed him violently, and Field challenged him to a duel, naming the ill-fated Senator Broderick, later to fall in a duel himself, as his second. Moore contrived to avoid the meeting by the contention that as a candidate for high office he had no right to endanger his person. But Field was not to be balked by this subterfuge. He made Moore eat crow in the halls of Congress itself. There, while his friend Broderick was serving as chairman pro tem., Field rose to a point of personal privilege and called his enemy a coward and a liar.

In those days many Congressmen went armed to their debates, and fireworks of this sort might easily have ended in shooting. But Moore was not of the warrior type. He made a hasty retraction of his former accusations against Field and retired.

In 1859 Field's great friend, Senator Broderick, was killed in a duel with David Terry, Justice of the Supreme Court, a victory which cost the latter his office and the respect of the people. He retired to private practice, while Field was appointed to the Supreme Court by President Lincoln in 1863. Between Field



and Terry yet another tragic episode was planned by Fate. The two men, enemies for years, met in a railway eating station at Lathrop. There Terry, in a fit of rage struck the venerable Justice, then more than seventy years of age, and was shot down by Field's bodyguard. He died almost instantly.

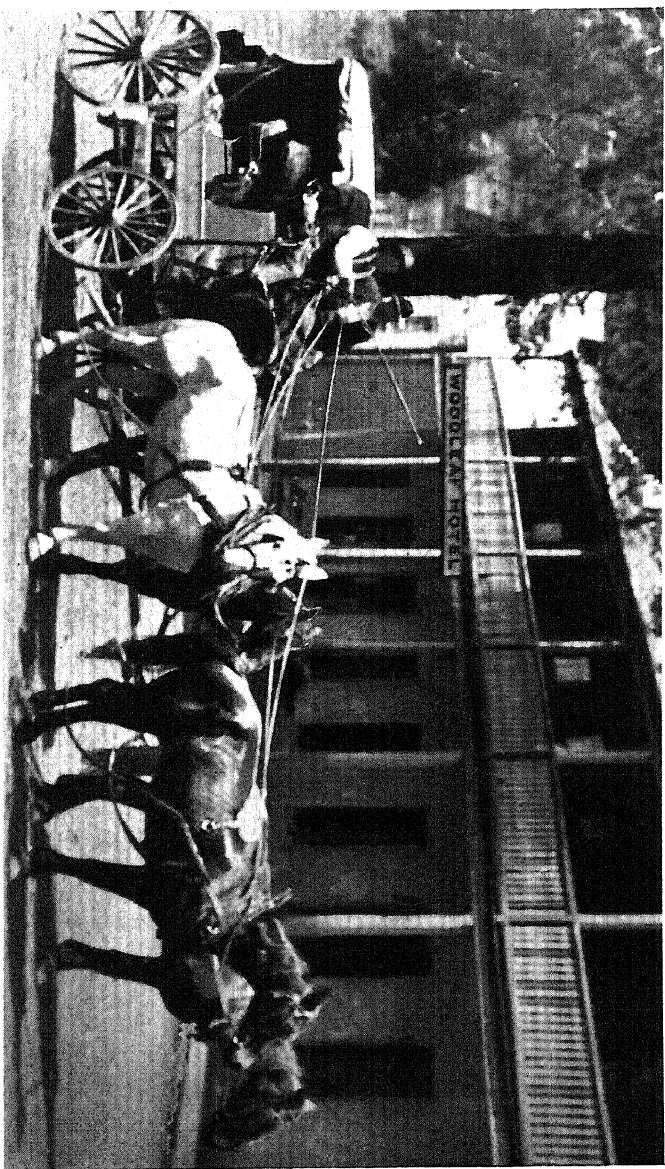
Not far from Marysville, to the north and west, lies Brown's Valley, where some of the first stamp-mills were operated and where the quicksilver process of reduction was invented and originally used. Brown's Valley is now largely agricultural, but in those days it made history in gold processing.

Gold-bearing quartz was first pulverized in iron mortars and then washed for "dust." This was, as one may readily imagine, a slow and laborious process, yielding a comparatively small return. The first improvement was a larger mortar and a pestle fastened to the limb of a tree whose upward tension automatically lifted the pestle after it had been thrust down by the operator. But, since it lost some of its downward force by reason of this tension, it represented no great improvement over the original method. But when Ferguson of Brown's Valley discovered that quicksilver could be employed to separate gold from powdered rock, reduction became markedly easier and miners earned ten dollars a day.

Brown's Valley had its first mill for quartz-crushing in 1851, a primitive, rudimentary contrivance with a single stamp in each of several large mortars. Its bang and rattle could be heard afar, and its lost motion would have driven a modern engineer insane. But it did its work after a fashion, and was as widely famed as Fulton's first steamboat clanking uncertainly up the Hudson River. Other and better mills came after it, though their establishment was beset with many misfortunes. Webb & Co. of Brown's Valley erected a mill, but winter floods carried it away. Quimby & Co. built another, but it proved more or less a failure. Still the work went on. The Anglo Saxon Mining Company built a fourth mill in Brown's Valley, importing the latest machinery from England. But they failed to import an English mechanic to install it. Whether it was improperly assembled or no better than the home-made plants is not clear. It was, however, taken over by a sheriff and fell into disuse.

In 1853 John Rule, undiscouraged by this depressing record, built a nine-stamp mill in Little Dry Gulch, not far away, and this for a time seemed destined to break the spell of misfortune. But a few years later it was destroyed by fire.

Brown's Valley, in the early fifties, proved a testing ground for stamp-mill reduction. It failed to reap the



*Last horse-drawn stage in the mining country, which operated until a few years ago between Woodleaf and La Porte*



*Main Street and pioneer hotel, La Porte, before it was destroyed by fire*



*Ruins of a lordly granite block in Port Wine. Near by lies Poker Flat, immortalized by Bret Harte*

benefit of its experiences and misfortunes, for in 1858 there were only six small mills in all of Yuba County, with an aggregate of sixteen stamps. But these and the foregoing ill-starred ventures showed the mining world what to avoid and what to remedy in stamp-mill building, besides giving it the benefit of the quicksilver process. Great batteries of stamps were soon to arise in Grass Valley and along the famous ten-mile strip between Jackson and Plymouth, whose mines produced more than half of the gold on the entire Mother Lode.

Mining in the hinterland of Marysville was dormant for a time—until the heyday of the great hydraulics. The seventies and the eighties lent the upper reaches of Yuba County a violent and passing glory and imperiled the navigable streams as well as their adjacent valleys in Northern California with flood tides of detritus. But that is another story, and another chapter will tell its tale.

## CHAPTER XIII

### *The Great Hydraulics*

THE HISTORY of California's giant hydraulics is a record unique and extraordinary in the mining annals of the world. Its like was never known before those three decades when areas comparable to a minor European kingdom were completely denuded of soil; when hills and valleys were leveled by high-pressure streams from nozzles as big as a man; when the beds of streams for hundreds of miles were raised and clogged by an incredible deposit of silt and other detritus, causing disastrous floods; when even the huge bay of San Francisco was fouled so that many of its passages became unnavigable for large vessels, and when, to repeat from another chapter, eight times as much soil was washed from the hydraulic mining regions of Northern California as was excavated in digging the Panama Canal.

It sounds like a Gargantuan tale, a Münchhausen romance. But it is, unfortunately, true, as the vast desolated and sterile areas of the abandoned gold-fields will testify. There is something horrible about the things it has done to a once fertile country, this hydraulic quest

for gold. And there is something splendid and amazing about the manner in which it was accomplished.

Some dispute exists as to where and how the hydraulic principle was first employed. Bancroft, a careful historian, gives the credit to "Frenchy" Chabot of Buckeye Hill, Nevada County, California. Chabot used the stream from a hose to soften the ground of a claim he was working. Bancroft states that there was a similar experiment at Yankee Jim's. Both are dated in the spring of 1852.

James D. Stewart of Auburn declares the Yankee Jim "experiment" was the first. And Stewart knows hydraulic mining perhaps better than any other living man. He has been a hydraulic operator all his life, and his father was one of the pioneers of that industry. Stewart is convinced from his researches that Colonel William McClure built the first hydraulic rig at Yankee Jim's. It was an uncovered flume mounted on a trestle set on a steep grade. The water rushing down this flume was directed against the bank which McClure was mining for gold. It was at first a stationary apparatus. Later McClure equipped the end section with hinges. This made it possible to shift the stream.

Chabot had a rig like McClure's, says Stewart, except that the flume was covered and fastened down with iron clamps. But, instead of discharging its waters directly

from the sluicelox, the apparatus terminated in a section of hose which not only concentrated the pressure but gave wide flexibility to the stream direction.

Whether Chabot saw McClure's rig before making his own, history does not record. But there is no doubt that he was the first to use a hose in hydraulic mining. And there is no doubt that E. E. Mattison, a clever mechanical Yankee, copied Chabot's rig. He did more than that, however. He fashioned a nozzle and further increased the pressure by developing water power. He was so successful that he discharged most of his miners and let the stream do their work. So he gave a strong impetus to hydraulic mining. It is even possible that he pioneered the Machine Age by his mechanical supersedence of manual labor.

Mattison's first hose was made of canvas. It was much larger than the cowhide and buffalo-hide fire hose of the period. But it proved unsatisfactory because it was forever leaking and bursting even after it was reinforced with netting and rope. Mattison tried covering it with sections of stovepipe, but without success. Later, sheet-iron pipes were used, but they leaked at the seams and rusted through. The wooden nozzles warped and split. However, Mattison persisted. He tried wrought-iron pipes with tapered ends. They lasted longer. But still another difficulty developed.



The available water pressure was inadequate. And, because no one seemed able to increase it, hydraulic mining languished for a time.

Not long, though. Something had to be done about decreasing reduction costs. With the approach of the middle fifties most of the rich deposits had been at least superficially exhausted. It was no longer profitable to wash gold even though the "Long Tom" had increased the "cradle's" efficiency fivefold. The Californian "Long Tom," an improvement on the old Georgian apparatus, was an inclined wooden box from ten to thirty feet long. It was about one and a half feet wide at the upper and broader at the lower end, where perforated sheets of iron were let into the bottom. Under this was set a shallow riffle-box with crossbars to intercept the gold in transit. Dirt, upon which a constant stream of water fell, was shoveled in at the upper end. Men below stirred the dirt into solution with shovels and forks and allowed it to flow while the heavier gold-bearing strata was retained.

It was at best a laborious process, yielding little profit and growing less adequate as the surface deposits dwindled. Even the quicksilver process for saving fine gold could not extract from the impoverished alluvia a living wage. It might have been the end of gold mining, except for the hydraulics which had been quietly developed in

a number of outlying fields. In desperation, mining men turned to them and to the steam dredgers, which were more or less experimentally operating in some of the larger streams. But it was hydraulic mining which revolutionized the gold industry. How phenomenal a reduction in operating expenses it achieved may be understood from the following comparison:

In 1849-50 it cost *several dollars* to extract the gold content from a cubic yard of gravel.

Within a decade, hydraulic mining had reduced this figure to a minimum of *less than one cent*.

These were, of course, the extremes. But so extraordinary was the difference that it attracted world-wide attention. As soon as the possibilities of hydraulic mining were realized, expert engineers came from San Francisco. They came, in fact, from points as distant as New York. They gave the new process their earnest attention. And well they might, for it was destined to become almost immediately the best paying industrial development in the world.

They developed scientifically that most necessary ingredient—water power—at first by small dams, later by mountain reservoirs thousands of feet above the scene of operations. The latter made hydraulic mining more or less a seasonal industry. During winter months the water in these reservoirs was frozen, immobile. But

spring freshets brought released currents rushing down the wooden flumes with such force that the containers often burst before the destination was reached. They proved so uncertain that iron tubes were substituted with inverted siphons and other saving devices. These leaked at the joints and had other disadvantages. In the end, ditches—the oldest and simplest conveyers—took their place. And with each step the industry waxed greater. There were bigger and better nozzles until, from orifices nine inches in diameter, streams 100 feet long, throwing 185,000 cubic feet an hour, washed away great hills with amazing, terrific rapidity; washed them down the frothing, muddy banks of four great California rivers into San Francisco Bay until battleships could not reach the repair station at Mare Island without going aground, and the tides of the Golden Gate carried the soil of the northern counties into the Pacific Ocean itself.

In 1855 an official report showed a total of 303 canals, aggregating a mileage of almost five thousand and costing close to \$7,000,000.

But this was only the beginning. During the year that followed, 112 additional canals were begun, including the Sierra Nevada Mountain Canal, fourteen feet wide at the top and ten at the bottom, extending with its branches more than 150 miles.

All manner of difficulties were overcome in the construction of these canals. They were built through mountains second only to the Rockies themselves, over deep ravines, along lofty and beetling cliffs. Sometimes the aqueducts were hung high up among the crags by great iron brackets.

Through the obstacles met and surmounted by the patience and daring of engineers who made hydraulic mining possible the way was prepared for great power projects which were, seven or eight decades later, to serve the needs of California's growing cities. Had it not been for the hydraulic canals of the fifties, undertakings such as the Hetch-Hetchy and Owens Valley water supply developments in San Francisco and Los Angeles might have been postponed indefinitely. Without these early precedents, it is doubtful whether they would have been considered feasible even in this day and age.

The huge aqueducts and canals of the gold era were in their time much greater tasks than our modern miracles. They rank among the outstanding engineering feats of history, and they changed the geography of a state during the thirty years of hydraulic mining which were, perhaps, California's most splendidly prosperous interval.

Of the \$1,801,106,027 produced by the California

mines, by far the larger portion was yielded through the hydraulic operation of the ancient or Pliocene river beds. They were the source of gold revenues totaling between \$11,000,000 and \$12,000,000 annually for about a quarter of a century. And, according to estimate, they would have yielded \$5,000,000 per year for a century to come had not legal restraint in favor of the agricultural interests effectively scrapped the industry.

It is difficult to present the story of hydraulic mining with continuity even after many years of retrospect. It was a splendid drama ruthlessly played to a high climacteric amid struggle, fortune, and achievement, and then cut short with one stroke of a judge's pen—a decision whose justice one cannot successfully impugn but whose practical wisdom is perhaps debatable. By that decision of Judge Sawyer of the United States Circuit Court, California's workable assets were reduced by at least \$100,000,000. Many thousands of men were deprived of a livelihood and at least half a billion dollars in estimated future profits were arrested.

For hydraulic mining has never recovered from that *coup de mort*. It never will. The ancient river beds are just as full of gold as when hydraulic reduction ceased to all intents and purposes fifty years ago. The water to carry it forward is still available despite the encroachments of irrigation and power needs. The "perpetual

injunction" of Judge Sawyer, long since gone to rest, has been modified to such an extent that it would be almost as profitable to mine with the "giants" as in the old days. The Caminetti Act has been passed by Congress to iron out the differences between miners and farmers, which have long ceased to be bitter or irreconcilable. They have, in fact, been practically forgotten. Commissions have been appointed and reports have been made all favorable to the resumption of hydraulic mining.

But the glory or magic of the old days is dead, beyond resurrection; no one can tell just why, yet everyone with an authoritative outlook agrees that it is. The few exceptional instances observable here or there merely prove the rule.

I shall try to set down something of the detail of hydraulic mining. It is a story strangely, powerfully worth the telling, a story of man's ravaging of Nature, of his desecration of the soil, and of Nature's revenge. Perhaps that is what really killed hydraulic mining—the outrage of Nature herself. Perchance that brought the feuds with embattled farmers; the slow, insistent growth of antagonism to the miners and their work; the steadily mounting defeats in courts of law, beginning with small cases sometimes reversed by higher courts in favor of the Miners' Association; the unrelent-

ing accumulation of evidence of hydraulic damage to farm and stream and the final deathblow of the Sawyer verdict in 1884.

The birth and early development of hydraulic mining has already been described. During the fifties it was merely a new process which many distrusted but which was rapidly supplanting older ones and spreading to fresh fields. By 1860 it became more or less a necessity, because twelve years of intensive sluicing had exhausted the available gravel beds. Long toms, cradles, and quick-silver processes were gradually abandoned. In the early seventies hydraulic mines produced far more gold than all others combined. Huge fortunes had been invested in hydraulic properties and equipment. Thousands of acres of new land were being washed for gold.

These were mostly the inhumed beds of Pliocene rivers. Gulches and canyons entering the rivers immediately above the very rich bars of these ancient streams contained much gold. Leads were traced under the banks of canyons which occupied deep water-worn channels, once the beds of broad and swift-flowing streams. Petrified wood and Indian implements were found in these banks, dating them with fair accuracy.

The width of channels worked by the hydraulic giants varied from 150 to 1000 feet in the beds which had once been waterways from one to one and a half

miles wide. Rich gravel ran from 50 to 75 feet wide, and that of lower but still very profitable value ranged from 300 to 400 feet in width.

The annual yield of \$11,000,000 to \$13,000,000 from hydraulic mining looks small when compared to the yearly aggregate of \$50,000,000 to \$80,000,000 previous to 1857. But it is estimated that gold production in the later and far leaner years would have experienced a terrific decline without the new method.

No one in the beginning looked for serious trouble with the farmers, for, though complaint had been made as early as 1862 that detritus from ground sluices was damaging bottomlands and orchards along the Bear and Yuba rivers, little or no attention was paid to it. Mining was the dominant industry, and agriculture was of relatively insignificant importance—so insignificant that none of the miners could perceive it, which proved a tragic bit of obtuseness. Had any member of the powerful Miners' Association been able to look ahead, he might have persuaded that body to forestall its own doom. In the sixties it could easily have been done. A little of the engineering vision which made hydraulic mining a world wonder must, had it been projected futureward, have sensed the danger of dumping immense quantities of waste into the beds of flowing streams. Its harmless diversion presented no insur-



mountable obstacles, as after-wisdom, or "hind-sight," proved—too late.

The very lands which immigrant farmers were taking up in the broad, fertile valleys of the San Joaquin and Sacramento rivers and their tributaries could have been bought by hydraulic operators and held as a perpetual dumping ground for their detritus. They might have been acquired before the farmers came for a ridiculously small sum, and hydraulic mining might have continued without protest for another century at least.

But the Miners' Association was too intent on gold. The farmers swarmed into Californian river valleys. They built homes and planted orchards. By the time the miners awoke to their opportunity, it was gone. The value of those lands which might have impounded their wastes was by that time prohibitive. Moreover, its populace was massing against them. The Anti-Débris Association was born—a handful of men determined to protect their lands from damage, a gadfly to which the huge, rich, politically intrenched Miners' Association gave only an annoyed and passing thought.

July 29, 1876, the case of Keyes *versus* The Little York and thirty-eight other defendants, all hydraulic operators, was called in the Circuit Court. It was in the nature of a test case. The plaintiff asked relief by injunction against further damage to his lands. He won the

case, much to the surprise of all interested parties, no doubt including himself, and, though the Supreme Court of Appeals later reversed this decision, it was only the opening gun in a battle that could have but one end.

It speaks well for the courts of California that they sided with the farmers, who were neither so wealthy nor so important politically as the miners. It refutes the charge made by some early historians that California's courts of law were the most corrupt in America.

The evidence, of course, was incontestable. Over the farms and orchards of the river valleys lay the yellow-gray deposit of hydraulic wastes or the overflow waters from silt-choked streams. In the rivers and bay channels dredgers worked incessantly to make navigation possible. Not only farm lands, but cities and towns were affected. Marysville brought suit against the North Bloomfield Mining Company and thirty-two others to restrain these defendants from further damage to Marysville, where the floodtides of the Yuba River left high and promiscuous deposits of hydraulic waste. This injunction was also granted, and relief was sought by miners through an appeal to a higher court.

In 1881 the State of California arrayed itself against the hydraulic operators in an effort to prevent further pollution of its waterways. The Attorney-General brought suit against the Gold River Mining Company

*et al.* After a year of interposed technicalities by the defendants' counsel—for the miners, now keenly alive to their danger, were fighting tooth and nail—Judge Temple rendered a decision restraining the defendants, but with a qualification. On proper showing of the erection of dams to impound coarse material, he would entertain a plea to dissolve the injunction.

Then began a scramble by the thoroughly alarmed and chastened miners to divert their wastes from public streams and private lands. They showed their willingness to be heavily taxed for this purpose. Under the provisions of the Débris Act passed by the State Legislature, two dams were built across the Yuba and Bear rivers at a respective cost of \$200,000 and \$290,000. With tax money imposed by and collected from miners under this act the cost of these dams was defrayed, as well as the expenses of building levees to confine the silt-choked rivers and allow them, by a scouring action, to deepen their own beds.

While these measures provided some relief, they came too late, psychologically as well as physically. There was the horrid specter of the damaged lands, estimated by a report of the State Engineer as 43,546 acres, and the acknowledged clogging of the Feather and Sacramento rivers, "though not beyond repair if the sand flow is stopped." And there was the distrust and animosity

engendered among a large class of farmers who had suffered great and continued injury. They did not believe in the eleventh-hour repentance of the miners, who, in the beginning, had treated them with contumelious indifference and later had fought them with every weapon, legal and extralegal, at their command. The farmers of the Anti-Débris Association shook their heads at these belated compromises and decided, not without logic, that "the Devil was sick" and his sudden aspirations toward sainthood were not to be trusted.

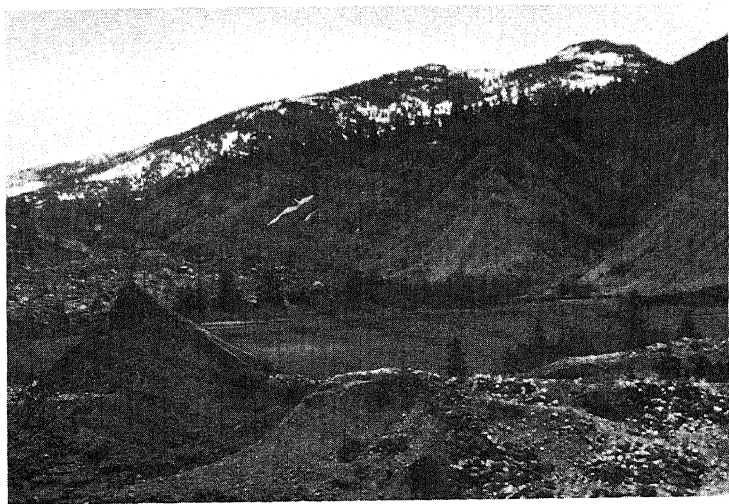
So they "cracked down" harder than ever. A very broadside of legal actions was fired at the enemy. Yuba County sued the Excelsior Water and Mining Company, the Eureka and Yuba Canal Company, the Blue Tent Consolidated Hydraulic Mines of California, Ltd., and the Yuba River Gold Washing Company.

Then came the suit of the County of Colusa against Hickey *et al.*, whose mines were in Nevada County, and the Birdseye Creek Water Company of Placer County, involving, through a series of intercounty actions, practically all the big guns of the hydraulic industry in Northern California.

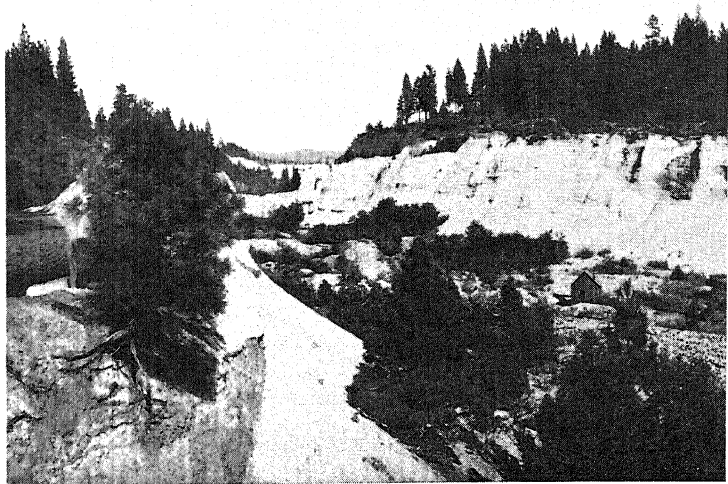
The Anti-Débris Association prosecuted them relentlessly. Their evidence was not to be gainsaid. The precedents of other victories were piling up. Not even the big treasuries of the miners nor their strong political



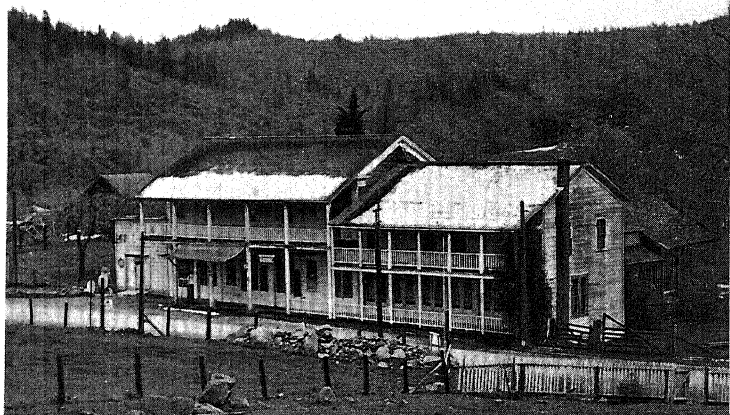
*Giant hydraulic nozzles tearing down hill in Yuba County*



*A hydraulic reservoir high up in the snow-clad Sierras from which water was shot at tremendous pressure to the nozzles in valleys below*



*Joubert's Diggings, between Camptonville and Downieville, where hydraulics work behind retention dam*



—Courtesy Well-Fargo Bank

*Rough and Ready, named for Zachary Taylor, which once seceded from the Union*

affiliations could counteract the damning disclosures of property damage, widespread and menacing in its growth, with which the farmers faced their opponents. No judge dared disregard it. The issue was too clear-cut for even the cleverest of lawyers to confuse.

But the miners fought on, hoping against hope, pleading for delays, trying to wear out their prosecutors by a campaign of attrition and, in many cases, openly defying the law, until at last the pivotal case of *Edwards Woodruff versus The North Bloomfield Mining Company* brought their struggle to a close. It was, on the surface of things, a comparatively unimportant action, but it wrote "finis" to the story of hydraulic mining as a great and general industry.

Some of the detail of Judge Sawyer's decree is fraught with unconscious humor. "Perpetually enjoined" were the defendants "each and all and their servants, agents, and employees" from discharging or dumping into the Yuba River or any tributary stream, *especially Deer Creek, Sucker Flat Ravine, Humbug Creek, or Scotchman's Creek*, any of the tailings, boulders, cobblestones, gravel, clay, sand, refuse and débris resulting or arising from mining thereon and also from using the water supplies of their mines for washing into said streams any earth, rock, boulders, clay, sand, or solid material contained in any placer or gravel ground or mine."

Many of the smaller mines disregarded the injunction at first, believing they would be overlooked. But the Anti-Débris Association realized, very wisely, that it must make a clean sweep or reap at best a victory of dubious value. So it kept investigators in the field, securing evidence of even the slightest violations, and prosecuted the violators with such persistence and success that all hydraulic operation—except that on the Klamath River, which caused no damage, owing to the extreme grade of the water flow—was eventually abandoned.

Still the miners continued their fight. A multitude thrown out of employment by the Sawyer injunction went about bitterly denouncing the decision and stirring up public sentiment in favor of a reconsideration. Merchants were feeling the loss in trade rather sharply, because several millions of dollars once expended annually for the supply of large mining populations suddenly ceased to flow into the marts of near-by towns. The farmers themselves, overjoyed by their victory, presently realized that it had been at the expense of a valuable market for fruits and provisions.

When a state engineer's report made it clear to the people that the total damage to farm lands from hydraulic wastes was \$2,597,635, they began making hasty comparisons. They checked their gains against the



scrapping of investments, properties, and equipment worth about \$100,000,000, the annual loss of an estimated minimum of \$5,000,000 for the next hundred years, and a considerable problem of unemployment.

They decided reluctantly that they had slain the goose that laid the golden egg and set about to salvage what was possible from the situation.

But almost a decade elapsed before any constructive action was taken. The intervening period was like that which follows most wars. The victors were deflated and distrustful of their gains; the vanquished bitter and resentful of their losses. Each realized that foresight and forbearance could have saved the day. Out of these conditions came a long interval of sullen wound-licking, terminated at last by a farmers' and miners' convention in San Francisco. There, in 1891, the warring factions were reconciled. It was the Peace Conference after the Treaty of Versailles.

A resolution was passed asking Congress to draft an act which would serve the interests of both the hydraulic operators and the agricultural land-owners. Out of this, two years later, evolved the Caminetti Act, drawn by a joint committee of miners and farmers, sponsored by the California Senator who gave it his name. It created the California Débris Commission, composed of three officers of the Engineering Corps of the United

States Army, with full jurisdiction over hydraulic mining in the territory drained by the Sacramento and San Joaquin rivers. It decreed that any mineral operation which directly or indirectly interfered with navigation was unlawful, provided funds for the restoration of rivers to their 1860 status, and permitted hydraulic mining wherever possible without injury to rivers or adjacent lands. The California Débris Commission was charged with the enforcement of these laws. It was empowered to impose fines as high as \$15,000 for violations, to revoke licenses, and to prosecute offenders, who were criminally liable to imprisonment for a term of one year. A further duty of the commission was the building of all necessary retention dams for the impounding of hydraulic wastes, a project to be financed by a 3 per cent tax on the gross revenues of all hydraulic mines in the territory designated.

This act, justly and intelligently drawn, failed, however, to restore hydraulic mining to anything like its former prosperity for several reasons. The first was an army regulation which called for the more or less constant shifting of officers. This resulted in the inability of any member of the Débris Commission to remain in office long enough to do full justice to his task. As soon as a commissioner became familiar with the complex and onerous responsibilities of hydraulic regulation, he

was automatically displaced through military routine by an inexperienced successor. As a result, the governmental function of the commission, though above moral or ethical reproach, was necessarily inadequate, inevitably lax. The farmers again became suspicious that their rights were being disregarded. They sent investigators into the field. By this time politics had entered their ranks and their agents were not always men of high standing. Some of them misused their powers.

Reports of blackmail and extortion came from the miners. They accused the farmers' representatives of levying tribute in return for "satisfactory reports." These charges the farmers indignantly denied and discounted.

And the miners, who, for the most part had been observing the rules of the game, decided that they might as well profit by the "protection" for which they were forced to pay. Accordingly some of them returned to their old tricks, a fact which did not entirely escape the attention of the farmers despite the garbled reports of their field men. Thus an atmosphere of graft and suspicion clouded the entire issue, frustrating any possibility of genuine recovery. New court actions resulted. Charges and countercharges filled the air. Little by little, hydraulic mining languished and died once more.

Here and there, especially on the upper reaches of the

Klamath River, where no controversy has ever existed, one sees giant nozzles leveling a gravel bank or hill. But they are few and far between.

Now that all the struggle and the bitterness are ended, it is interesting to consider how the world in general, and California in particular, have profited by hydraulic mining.

Without doubt the high-pressure fire-fighting system is one outgrowth of hydraulic development; its use for bloodless repression of riots and prison breaks is another. And there is no question but that hydraulic mining brought rubber hose to a much earlier perfection. So much and perhaps more, indirectly, it has done for modern civilization.

Let us consider what it has done for California. In the early eighties hydraulic miners had built 6000 miles of ditches and canals at an average cost of \$3000 a mile. Hydraulic reservoirs had impounded for summer use ten billion gallons of water. They made cheap power available to the lowlands. When the valleys were in need of irrigation, this power was used to pump water to their crops. Many of the old hydraulic ditches are now used as irrigation canals.

The foremost experiment in retention dams is the great concrete structure built by Harry Payne Whitney at Bullard's Bar, on the Yuba River. This dam is 175

feet high, with a crest length of 520 feet. It forms a pool seven miles long, develops 10,000 horsepower and a flow of 1700 second feet, or 68,000 miners' inches. Behind this dam are operated the rich Joubert's Diggings gravel field and others whose operators pay a charge per cubic yard. Power developed at the dam is sold to the Pacific Gas and Electric Company for distribution.

This is a fair demonstration of what may be done in the way of profitably impounding hydraulic waste. It is urged in favor of the construction of numerous dams and the general resumption of hydraulic mining, that such barriers would store all forms of *débris*, not only from hydraulic but from quartz mining. The latter, though unmolested, has contributed 25 per cent of the waste which clogged the streams. A storage of winter flood waters behind hydraulic dams would save the lowlands from overflows during spring freshets and relieve summer droughts, lowering the salinity of the Sacramento River by releasing fresh stored waters during the middle of the year.

Whether hydraulic mining will ever come back, in any real sense of the term, is a question which only the future can answer. There are many arguments in its favor and few against it, if waste is controlled. It seems more likely that dredge mining, which has shown remarkable development of late, will take its place.

The largest and most extraordinary hydraulic apparatus ever made was recently employed in road building. Between Redding and Arcata, in Northern California, state engineers hosed the top off Oregon Mountain to make a more direct path and a better grade for automobiles.

Four hundred million gallons of water were used by the first six-hour shift. Six hundred feet of mountain top were washed from a 3100 foot peak by means of super-giant nozzles carrying a pressure double that of the old hydraulics.

Such is the latest exploit of the giant hose sprung from a lazy man's experiment on the Mother Lode in 1852.

*Decline and Renaissance*

IT IS DIFFICULT to record either the decline of the Mother Lode or its restoration to international importance as a gold-producing field. It is almost outside the range of comparisons, so completely is it removed from the category of ephemera such as the Klondyke, Tonopah, the Australian bonanza, *et al.* Even the Comstock era was transitory beside it, and neither the Rand nor the recently developed Canadian fields can match it in some important aspects. The Mother Lode, after eighty-six years of operation, is still going strong. It has never ceased producing an important share of the world's treasure, and not even the most pronounced pessimists have claimed that it was exhausted. The gold, except for the surface placers, is still there.

In spite of all this, there lies a deep valley, a sharp downward curve with a gradual ascent, between the Gold Rush period and the gold-mining industry of today. Dramatically, the years which mark the rise have little of the interest of forty-nine. The incredible, unparalleled melodrama which endured for perhaps a decade was, by its very intensity, fated to subside. The marvel is that it could last so long. No great outburst of

human emotion ever endured at white heat for ten years before. And there was nothing local about it, one must remember. It was truly cosmopolitan in character—a cross-section of world impulse. The lust for gold was born many centuries before the Christian era. It caused some of the earliest wars in history. It impelled the Carthagenians to enslave and ravish Spain. It sent Columbus voyaging uncharted seaways in search of Japanese and Indian gold mines.

One may understand the California Gold Rush better when one realizes that it made gold free in apparently unlimited quantities and practically without restrictions to all the world's peoples. For thousands of years gold mines had been slave camps, conscript hells where men worked under the lash day and night, until death relieved them of their sufferings. Their masters got the gold, not they. It is true that Brazil afforded a partial exception when its government forgave certain outlaws their crimes and allowed them to work certain mines of their own discovery. And it is true that for a time thereafter free men were permitted to mine gold. But this was only because the Brazilian rulers had discovered that it was cheaper to have the mines worked by men who fed themselves, needed no supervision, and paid heavy taxes than by the serfs who had previously performed these labors. And it is



interesting to note that Brazil in 1688 established the ratio of 16 to 1 between silver and gold for which William Jennings Bryan worked a lifetime unsuccessfully. Also that Brazil, then a Portuguese colony, demonetized silver and established a gold standard which England was to copy and which was to influence the monetary destinies of the world.

Thus we can trace the release from forty centuries of frustration and denial in the opportunity which California offered to the masses in 1848. For the first time in history they were asked to the table where only kings and nobles had sat theretofore. The world's treasure-box, hitherto carefully guarded, was thrown open. And, even though the box was not emptied, the madness of that first scramble could not last.

By the middle fifties the stream of gold-seekers had been pretty well winnowed. First in the chaff went the weaklings and incompetents; then a considerable number who, having accumulated a modest "pile," were satisfied to return to Eastern and European homes. A good many rascals were booted out of the mines or jerked into eternity at the end of a rope. And an army of foreigners were driven off by the prohibitive alien-miner tax.

Then came a period following the exhaustion of surface gold—before quartz mining had been developed

into a profitable industry. That interval, short as it was, almost wrote *finis* to the Mother Lode chapter. The hydraulics stepped into that breach; they bridged the interval. But the Comstock Rush came in the sixties and took thousands of Californian miners to Nevada.

Still the Mother Lode held out, produced largely, though it was never quite the same again. The hydraulics were producing between eleven and twelve millions a year and the great quartz mines were adding their share. Engineers and chemists were working out new methods of reduction. The cyanide process was introduced. Great batteries of mills and huge plants appeared on the hillsides. Shafts were sunk and timbered. Men worked in shifts as they did in factories, getting their weekly stipends. Most of them were married and had children. They lived in company houses and traded at company stores. Gold mining had become a business, like shoe manufacturing or pork butchering. There was no longer the bite of high adventure in it.

In 1884 the hydraulics were put out of business. Every one knew it was coming. Nobody was surprised.

But many thousands of jobless miners forsook the gold country, drifting to the cities. They earned no more of their pay and spent no more of their money along the Mother Lode. That was perhaps the hardest economic blow of all.

The Yukon excitement diverted more interest from California. For ten years Colorado and Alaska produced more gold than the Mother Lode—than the whole state, as a matter of fact. But except for that decade California has led the states in gold production.

Even before the sensational increase in gold value engineered by the Roosevelt administration the Mother Lode was the least impoverished region in the United States. Enough of the big mines were running to free the mining towns from unemployment crises. And the country was full of "snipers," who made from 25 cents to \$5 a day. They couldn't afford to pay rent or buy luxuries. But they had to have food and some clothes. They added their purchases, small but many, to Mother Lode trade. The stores made expenses and better; they didn't complain.

With gold at \$35 an ounce the Mother Lode is prosperous again. It is being more efficiently worked than ever before and is attracting more capital than at any time since the first frenzied flush of success. It is yielding large returns. New processes are partially responsible. By the flotation method immense bodies of ore, practically virgin, are being opened to gold production because it is possible nowadays to handle gold ore carrying values as low as \$2 a ton.

Of course, this does not compare with hydraulic min-

ing for economy. But hydraulic mining has been out of the picture for some time as a source of heavy gold production, and its future, though promising, is indefinite. Dredge mining has more or less taken its place. It produced \$4,000,000 worth of gold in 1932. This represents, roughly, 35 or 40 per cent of the total gold production during recent years in the entire State of California. It has at times reached 50 per cent of the total and may in the next few years go even higher.

Dredge mining is not new. It has been commercially profitable in a large way since 1895, and the idea dates back to Gold Rush days. In 1849 a dredge was built in New York and sent around the Horn on a sailing vessel. But, alas! it sank into the Sacramento River, whose sands it was intended to mine, soon after its arrival and was never reclaimed.

The first dredges were of the suction type and were notoriously unsuccessful. Later a crude drag was used in Australia and the Philippines. It consisted of an iron ring to which was attached a rawhide bag. It was dragged along river bottoms, guided by a long pole and operated by a windlass and rope. Later, dredges with "spoons" weighing half a ton were substituted on California rivers and yielded about \$40 a day in gold; in Australia boats with drags yielded eighty ounces a week, while the more complex steam dredges failed.

Bucket excavators were tried out in California rivers in 1882, but were discarded in favor of chain-and-bucket models resembling grain elevators. All this was more or less experimental. The first successful gold dredging was done in Oroville, Cal., in the spring of 1898. This field had twenty-five dredges operating in 1910, but only eight in 1915, when the center of dredging activity was Hammonton, on the Yuba River. During that year the gold yield was \$3,172,476.

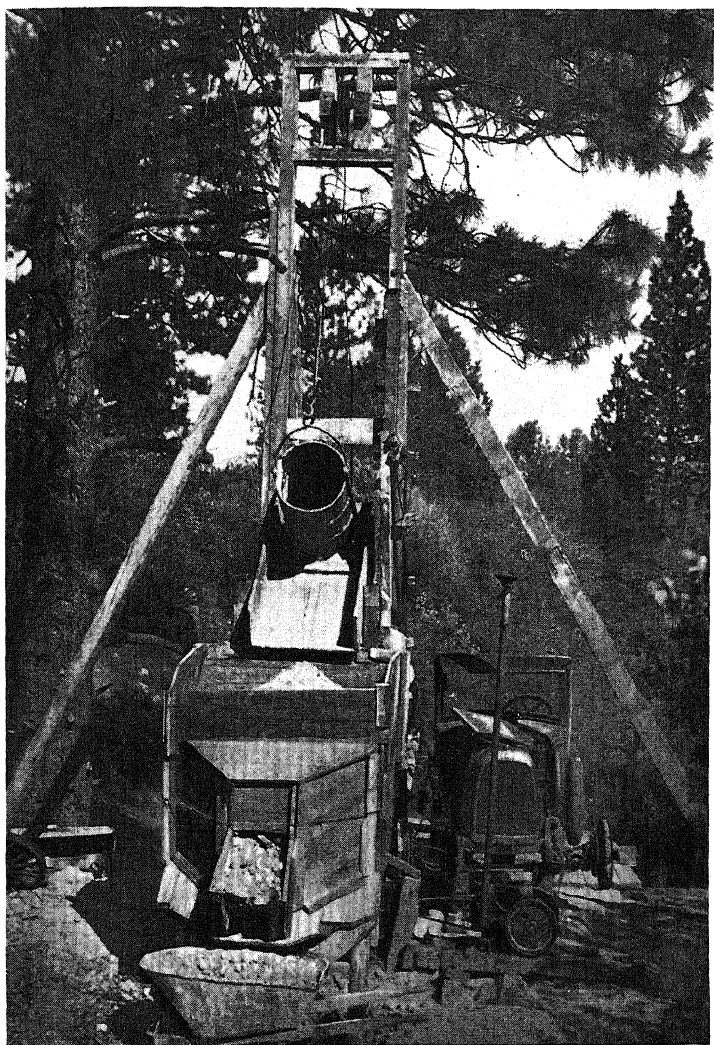
Statistics are always fatiguing. Suffice it to say that dredging is an important factor in the Mother Lode's auriferous "come back." And it is not, as one might suppose, confined to the streams. Dredges are built inland—usually, as were the hydraulic locations, in the beds of prehistoric water courses, long dry. The system is curious. Not to be technical, something like an artificial lake is created in front of the dredger. In other words, patches of the dead river are restored to life, scooped up as mud, and worked for gold. When the patch is exhausted, the dredge moves forward, leaving a pile of tailings behind it, and attacks another artificial lake. Between 1896 and 1915 the Californian dredgers added \$79,104,231 to the world's store of gold.

The flotation process is also important. As an outstanding development in modern mining, we may as well consider it briefly.

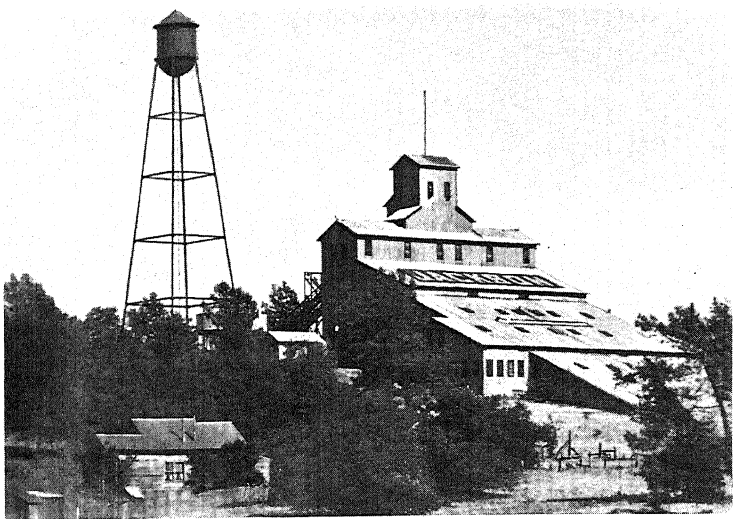
It appears that in the early years of quartz mining only the free or metallic gold was saved. Thirty per cent or more was lost because it was present in the form of sulphides, which it was impossible to separate from the gangue, as the earthy or stony substance surrounding gold is termed. Various schemes, mechanical and chemical, were tried to save and treat the sulphides from the seventies to 1895 when the cyanide process was discovered. This was a definite improvement but it was expensive not only in the matter of initial outlay for equipment but in the high cost of the materials or reagents employed. Moreover, it was not entirely satisfactory for the reduction of certain types of gold ore, including that mined around Grass Valley and Nevada City.

The flotation process was developed as early as 1910 in the great copper and lead mines, but was not adapted to gold mining until 1929, when the depression and consequent hoarding of gold caused an unusual demand for newly mined metal. Then it was tried—to save money rather than for any other reason—and proved so satisfactory that it opened up many new possibilities for the working of low-grade ores.

Briefly, the process is as follows: The ores are pulverized in a volume of water several times the weight of the ore. Oil in small quantities is added to the pulp,



*Gold Hill Mine, one of the oldest in California. A "flivver" supplies the motive power*



*Kennedy Mine at Jackson, adjoining Argonaut shaft where forty-eight miners perished in 1922*



*"Sniping" on the South Fork of American River near Coloma, where Gold Rush started*



as well as other reagents in the nature of catalysts. The result is that the worthless gangue absorbs the water, while the valuable sulphides adhere to the oil, which is whipped to a froth and remains a sort of scum on the surface. It overflows into a separate container, while the gangue minerals which have no value are expelled at a lower level. The process is based on the law of surface tension which causes a needle gently laid on the surface of a body of water to float and to which all metallic sulphides and basic metals respond.

It is estimated by its proponents that the flotation process saves 98 per cent of the gold. When one compares this with the record of a big Mariposa County quartz mill, where 70 per cent of the gold *was lost in reduction* as late as 1863, or even to the loss in modern concentrator tables, which is sometimes 30 per cent, the value of the flotation process is at once apparent.

Gold production in 1932 was back to the 1927 level, exceeding eleven and a half million dollars. The lowest ebb was in 1929, when only eight and a half million dollars' worth of gold was produced. All this is reckoned at the long-sustained standard of \$20.67 per ounce. With the price of gold anchored at \$35 and an estimated 25 per cent increase in production, the 1934 crop ought to bring something like \$25,000,000.

Even if the present high value is lowered by an up-

ward trend of commodity prices and accumulating trade, there are so many new districts opening and about to open that the decrease should be absorbed by a large increase of gold production. Among the new and prospective gold fields are important discoveries along the Klamath River in the far northern part of the state and many rich mines in the area east of Nevada City never before considered in the ore zone; also fresh finds in La Porte, Allegheny, and the Downieville sector.

But that is by no means all. Randsburg, as dead as a doornail for ages, is once more a live camp. The famous Yellow Aster mine is working seventy-five men and the Kelly mine sixty. I remember the Yellow Aster because its sale was the topic of my first newspaper story. Randsburg was booming then. Miners came in crowds to the Mojave Desert. And to Mojave, the windiest town in America, came young Jimmie Rainey on the night train. He had lost his hat crossing the street, but he didn't care. One didn't chase a blown-off hat in Mojave because it was far away on a forty-mile gale before one could even start after it. Jimmie Rainey doubtless didn't even know it. He had just sold the Yellow Aster for about half a million dollars and was in a celebrant mood. It was almost midnight when, in response to a newspaper query, I found him at the Ruby lodging house. He didn't want to get up and talk to me. He

was much more pleasantly occupied. But he did, and I wired the story to San Francisco.

Later I visited Randsburg. One went by stage then, although there was a jerkwater railroad building into Johannesburg from Dagget or some place like that on the Santa Fe line. Randsburg was a typical boom town, a jumble of hastily thrown together shacks, with a main street heading up into the hills. There were five thousand people in it, milling around day and night. You had to elbow your way through the crowds. They told me there were "whole mountains of three-dollar ore." But water cost seven dollars a barrel. One couldn't touch the low-grade proposition.

All that is changed nowadays. With the flotation process one can mine three-dollar ore in large quantities. So Randsburg is booming again.

Mariposa County has awakened from its long sleep—Mariposa County, which for some time could not boast a single bank. Now twenty mines are operating within its borders and fifteen hundred men are at work. The active mines include the Pine Tree and Josephine, properties of historic interest during Frémont's semi-feudal régime. Another big producer in this field is the Diltz mine.

First and foremost, of course, is the world-renowned Carson Hill group of mines. These properties, now

owned and operated by a western organization, include eleven acres of plants covering the northwestern slope of Carson Hill from its crest to the Stanislaus River, a thousand feet below. Among these mines are the Morgan or original location, the Union, Kentucky, Iron Rock, Relief, Reserve, Enterprise, Irvine, and Mc-Millan shafts. Between 1919 and 1926 these mines produced \$6,936,798. The present output is \$80,000 a month.

A good deal of retimbering has been done. Shafting is cheaper now and safer for miners in the deep levels. The Mother Lode has been pretty free from heavy casualties. A notable exception was that in the Argonaut mine. But that was a long time ago. Then it seemed the last straw in a chapter of accidents in a chain of bad luck which this great mine had to encounter.

Located in 1850 as the Pioneer mine, it was known by that name until 1893, when an addition to the north end of the shaft was called the Argonaut. It was not profitable for some reason—probably because its owners lacked the capital to develop—so the Argonaut was worked half-heartedly between efforts to sell it to the operators of an adjoining property known as the Kennedy. But the owners of the Kennedy wouldn't buy. They weren't even interested. So the Argonaut people went on deepening their shaft, little by little. In seven

years it was down 1750 feet. They were into rich ore. Things looked promising—as though the long struggle were over at last.

But it was only beginning. The Kennedy people obtained an injunction against the Argonauts. They declared that the latter were tapping the Kennedy vein.

After tedious litigation and the expense of sinking a vertical shaft to prove their right, the Argonaut mine won. The vein was shown to be on their own property, continuing through to the apex. The injunction was dismissed. They went on sinking their shaft.

At the 4000-foot level, fire which was believed to be of incendiary origin again stopped work. The damage was repaired. An inclined depth of 4800 feet was reached and the best average ore on the Mother Lode was taken out for five years—from 1914 to 1919. Again it looked as though the curse were laid. But there were other fires in 1920 on the 3300-foot level adjoining the Kennedy mine, and between conflagration and flood almost a year was lost.

In 1921 twenty stamps resumed in the 60-stamp mill. All went well enough till August, 1922, when a serious blaze was discovered on the 3350-foot level. Forty-seven men were trapped on the 4650- and 4800-foot levels, and all of them died underground before they could be taken out. It was the severest blow the Argonaut own-

ers had yet encountered. But they weathered both the storm of denunciation which fell upon them—rather undeservedly, for their mine was safe as most others—and the heavy damages resulting from the catastrophe. Now the Argonaut is a going concern in every sense of the word. So is its neighbor, the Kennedy mine. Both are on the exceedingly rich strip of Mother Lode country between Jackson and Plymouth.

A dramatic story is that of the Diltz mine, six miles from Mariposa, originally a hydraulic proposition. It was worked as such for many years before the rich vein was discovered underneath the heavy layer of soil and gravel. When the pressure streams at last uncovered the gold-bearing quartz, there was much excitement. But, as was often the case with quartz finds, little was done about it. Miners and capitalists alike distrusted quartz mining during its early days. The operators puttered along for a number of decades, making little more than expenses. But in 1932 a strange coincidence brought together two men in an automobile repair shop at Placerville, and out of that casual contact came the development of the Diltz mine into a big producer.

One of these men was a prospector whose name is not known. The other was Earl Baker, who had had little luck either in farming or selling real estate, and scarcely knew where to turn next. While his car was

undergoing some minor repair, he struck up a conversation with another motorist and the talk turned to mining.

"If I were as young as you and had a little money," said the prospector to Baker, "I'd get a lease on the Diltz mine, in Mariposa County. *There's* a winner if there ever was one—and the lease can be had for a song."

Just why Baker was impressed by this speech it is difficult to understand. He must have heard a great deal of such talk before. And he knew practically nothing of mining. Moreover, he had no money. But the prospector's words stayed with him. He couldn't forget them. He talked the matter over with two friends. Between them they scraped up \$1700 and made an offer to the owners of the Diltz mine. It was accepted. They went to work, three gallant greenhorn adventurers. One of them was a salesman for a smoked-meat house. But luck was with them. They struck high-grade ore almost at once. In a year they cleaned up \$110,000. One pocket yielded \$15,000. On their royalty lease, with an option to purchase, they are riding the wave crest of fortune.

It was not without hard work, however, that they won out. Men who knew of their inexperience took advantage of them at first. "Highgraders" robbed them

of nuggets and free gold. But they soon learned the tricks of mining, and they caught both the thief and the "fence" who aided him in disposing of the stolen property. Now they know their business. Nobody is taking them for a ride.

Another redeemed property is the Idaho-Maryland mine, which was exploited by representatives of an Eastern millionaire. They spent \$2,250,000 of his money and got practically nothing back. So the mine was unloaded for whatever it brought. The new owners finally made a working agreement with the mine crew. The owners gambled what money they had and the miners gambled their labor. Between them they developed the mine until a new ore body was discovered. It was rich enough to attract capital. Now their troubles are over and their fortunes assured.

In the wild, mountainous region near Downieville, where Allegheny is located, extraordinarily rich ore has been opened up. The Sixteen-to-One mine is down three thousand feet and the vein is yielding values as high as \$2000 to the ton. From a few square feet \$100,000 was taken.

The Empire and North Star mines, now combined, at Grass Valley, have produced approximately one hundred millions of dollars in gold, and are at present in active operation under the management of the Empire



Star and Mines Company, which also operates the Murchie mine, a good producer. These mines have 125 miles of underground workings.

All these are representative instances taken more or less at random to show what is doing in and around the Mother Lode country. It may be interesting to quote a few more figures concerning total gold production of the counties since 1880:

Amador County.....	\$110,000,000
Calaveras County.....	57,000,000
Mariposa County.....	14,000,000
El Dorado County. . . . .	17,000,000
Tuolumne County . . . . .	38,000,000
Nevada County.....	140,000,000
<hr/>	
	\$376,000,000

This includes the long, low valley of the curve between decline and restoration; the years of exhausted placers, abandoned hydraulic and drift mines whence came three-fourths of California's gold after the fifties; the interfering diversions of Colorado, Alaska, Nevada, and the Rand. Through all that the Mother Lode plugged along, maintaining its gold production, keeping it high enough, despite anything and everything, to make it an important factor in world production. That, after all, is what counts in the history of a gold

field, and it proves the Californian Mother Lode, everything considered, to be the greatest in the world.

Fluctuation in gold values do not greatly affect either its production or its market. At the close of the Civil War gold was up to forty-six dollars an ounce, and Jay Gould once "bulled" it to the extraordinary figure of \$162. There it broke so sharply as to precipitate a panic in Wall Street, merely because President Grant released \$4,000,000 in Treasury gold for the purchase of bonds.

There is scarcely a quartz mine of any promise on or near the Mother Lode that is not in operation. The same is true in varying degree of every other gold field in California. In the Natomas field, near Folsom, for instance, there are about 50,000,000 yards of gold-bearing sands and soil on 1200 acres of virgin ground. Six big modern dredgers are already at work there, and a seventh dredger will be added in 1935.

California's gold-producing future seems assured. The Mother Lode is the heart of it, but its arteries, veins, and capillaries stretch afar throughout the state—as far south as San Diego County and north to the boundary of Oregon. The Big Show is over, many and many a year, but the business of gold mining is only, in a sense, beginning. It should and doubtless will go on for countless years.

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